ARIZONA

DEPARTMENT OF

ENVIRONMENTAL

QUALITY

Continuing Planning Process
April 1993

STATE OF ARIZONA

CONTINUING PLANNING PROCESS

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The Arizona Department of Environmental Quality shall preserve, protect and enhance the environment and public health, and shall be a leader in the development of public policy to maintain and improve the quality of Arizona's air, land and water resources.

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STATE OF ARIZONA

CONTINUING PLANNING PROCESS

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STATE OF ARIZONA

CONTINUING PLANNING PROCESS FOR WATER QUALITY MANAGEMENT

TABLE OF CONTENTS

CONTINUING PLANNING PROCESS FOR WATER QUALITY MANAGEMENT

TABLE OF CONTENTS (cont.)

INTRODUCTION

The Arizona Continuing Planning Process for Water Quality Management (CPP) is a compendium of procedures for planning and implementing water quality management programs in Arizona. It is a guidance document for matters of process related to the protection of the physical, chemical and biological integrity of the waters of the state. The Arizona Department of Environmental Quality will update the CPP, and will adopt portions of this document into rule, as necessary.

The CPP is required by Section 303(e) of the Federal Clean Water Act (CWA). Federal regulations (40 CFR Part 130) stipulate that the CPP contain procedural guidelines for state water quality management (WQM) activities. The list of required CPP contents is found in Appendix II. This document, and all updates, are subject to public review, and to review and approval by the U. S. Environmental Protection Agency (EPA), for consistency with requirements contained in the CWA and associated federal regulations. An EPA-approved CPP is required before the EPA Regional Administrator may approve permit programs under Title IV of the CWA.

In addition to meeting federal requirements, the CPP addresses procedural guidelines for most state-mandated water quality management programs. The Arizona Environmental Quality Act (E.Q.A.; A.R.S. Title 49) created the Arizona Department of Environmental Quality (ADEQ) to carry out water quality management activities, including establishing aquifer boundaries, implementing an improved aquifer permitting program, adopting surface and aquifer water quality standards, developing agricultural and other nonpoint source management programs, and performing remedial actions through an expansion of the Water Quality Assurance Revolving Fund (WQARF).

ADEQ is the state agency responsible for implementing federal water quality protection statutes, i.e., Clean Water Act, Safe Drinking Water Act (SDWA), Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and Superfund Amendment and Reauthorization Act (SARA).

With passage of the EQA, ADEQ was given comprehensive authority over water pollution control in Arizona. It is the Department's intent, as resources and authority permit, to attain primacy over all federal water quality management programs, as well as to develop a rigorous aquifer protection program. ADEQ's ultimate goal is that all water quality management programs be integrated into a comprehensive and efficient statewide water quality management system. The CPP addresses how Arizona will accomplish both federal and state water quality management planning objectives.

Achievement of these goals will require a rigorous, ongoing planning process which encompasses the ideas of all levels of the public and private sectors in Arizona. ADEQ will work closely with the public and other agencies to achieve statewide water quality management objectives. In particular, the Department will cooperate with the Arizona Department of Water Resources (ADWR) in the development of the State Water Resources Plan.

ADWR has joint authority with ADEQ, as the state water pollution control agency for all purposes of CERCLA, to conduct feasibility studies and remedial investigations relating to groundwater quality and may enter into contracts and cooperative agreements for these studies and investigations (A.R.S. §49-202.B and A.R.S. §45-105.A.16). Other areas of water quality management in which ADWR takes a major role are addressed in the management plans developed by that Department (see Appendix III). The management plans for each ADWR Active Management Area should be consulted for current, detailed information on management activities planned by ADWR under the authority of the Groundwater Management Act (A.R.S. §45-101 et. seq.).

The CPP is divided into five sections, consisting of: (1) an overview of the WQM planning process; (2) a description of WQM planning; (3) water quality standards setting and assessment; (4) the processes in place to implement WQM programs; and (5) relevant appendices, including a glossary of acronyms (Appendix I). A public meeting and solicitation of review and comments was conducted on the CPP update in July 1988. A responsiveness summary of those comments has been included as Appendix XII. Although the entire CPP document will be periodically updated, as necessary, the appendices will be routinely updated, and thus will represent the dynamic part of this document.

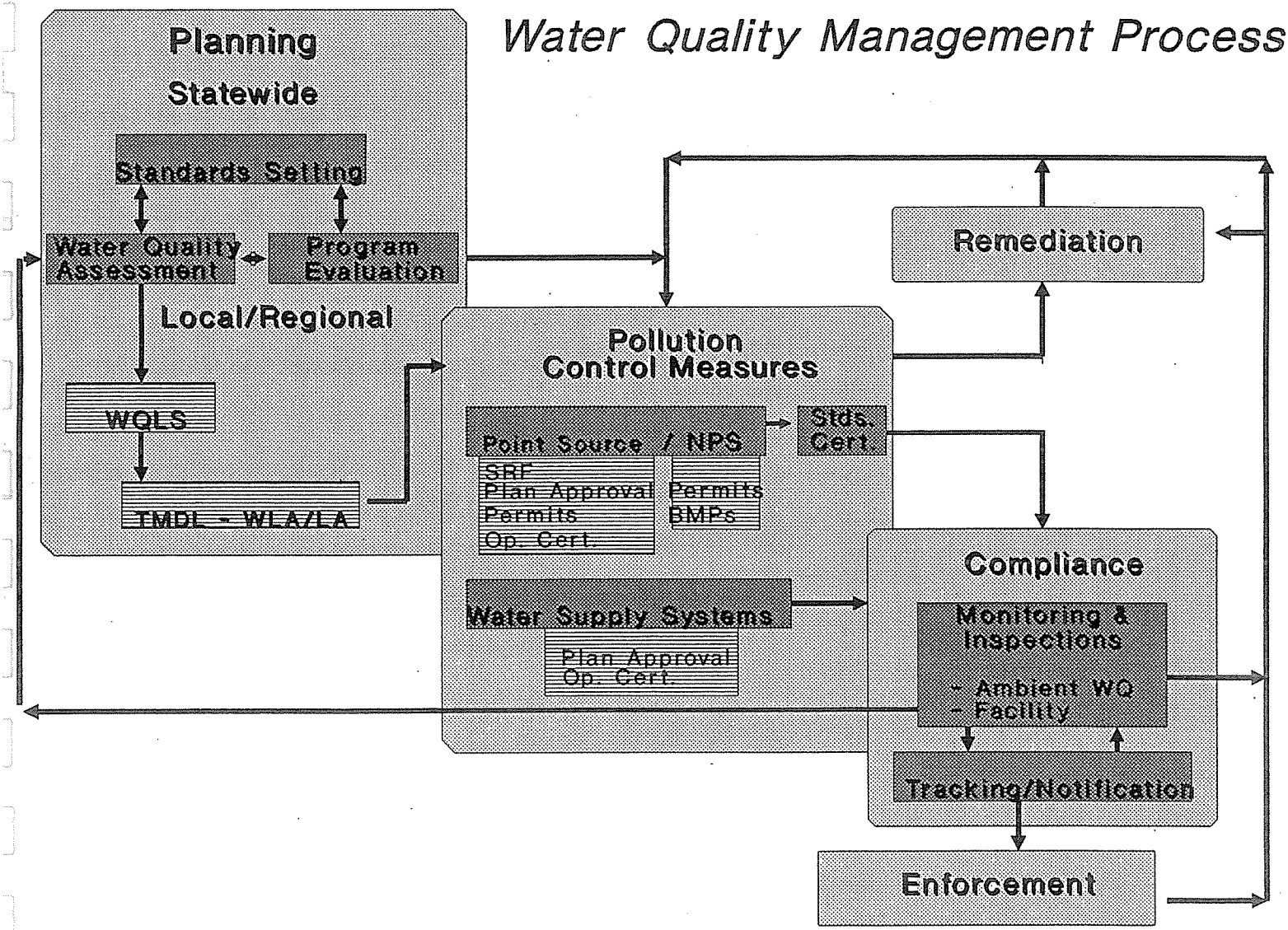
The process to update this document was a complex and time-consuming task, during which many parties contributed valuable time and information to ensure its accuracy. A special thanks goes to the environmental planners from Arizona's six Councils of Governments, who gave extensive comments to ADEQ throughout this process of updating the CPP.

This document is meant to be used as a reference tool by all persons interested in water quality management in Arizona. It represents an ongoing effort to develop and implement consistent and effective water quality management programs throughout the state.

STATE WQM PROCESS
FIGURE 1

Figure 1

Water Quality Management Process



CHAPTER I

WATER QUALITY MANAGEMENT PLANNING PROCESS OVERVIEW

Arizona's water quality management (WQM) program strives to maintain adequate water quality for designated uses of state waters. The WQM planning process focuses on achieving and maintaining water quality standards established to protect such uses, through programs authorized under Arizona's Environmental Quality Act (EQA), and the federal Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response and Liability Act (CERCLA), Superfund Amendment and Reauthorization Act (SARA), Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), and the Toxic Substances Control Act (TSCA).

State water quality management programs consist of point and nonpoint source pollution control activities, which employ various permitting, certification, registration/notification, and best management practice mechanisms to ensure that water quality is protected. In addition, water quality planning, standards setting and monitoring, program compliance and enforcement activities are all critical activities for assessing the effectiveness of these control mechanisms. Figure 1 outlines the general State WQM process.

Arizona's WQM programs involve coordination with federal and state agencies, regional, local and tribal governments, water quality planning and management agencies, advisory groups, special interest groups, facility operators, irrigation, drainage, improvement and sanitary districts, and the general public. Participation by all of these entities is essential in developing and administering a comprehensive and effective State WQM program. (See Appendix III for a detailed discussion of major WQM agencies.)

In the planning and implementation of Arizona's water quality management programs, the Arizona Department of Environmental Quality (ADEQ) is committed to maximizing opportunities for citizen participation and public involvement at all levels. ADEQ also assists industry and the public in understanding, and complying with, all water quality program requirements and procedures.

STATE WQM GOALS

The primary goal of the State water quality management program is to preserve, protect and enhance the quality of water resources to benefit the environment and public health. ADEQ strives to prevent and correct water quality problems in a manner that is timely, efficient, effective, and responsive to the public. The Department's overall WQM planning objective is to ensure that federal, state, regional and local water quality management programs are planned and administered to achieve the most efficient and comprehensive State water quality management system possible. Specifically, the Department plans to accomplish (or is accomplishing) the following:

- Establish water quality standards which preserve and protect the quality of Arizona waters for all existing and reasonably foreseeable future uses.

- Effectively monitor and evaluate the quality of Arizona's water resources.
- Assess long-term water quality conditions and trends through statewide monitoring efforts.
- Develop comprehensive and current statewide surface and groundwater data management systems, including cross-program linkages within ADEQ and with other agencies.
- Develop and implement strategies to control chronic water quality problems.
- Develop and implement comprehensive water quality protection programs through the concurrent review and issuance of surface water and aquifer protection permits, where applicable.
- Employ point and nonpoint source control and remediation programs to achieve maximum public health and environmental protection.
- Employ effective compliance and enforcement programs which minimize environmental and public health hazards, and maximize voluntary compliance.
- Obtain National Pollutant Discharge Elimination (NPDES), Underground Injection Control (UIC), and Underground Storage Tank (UST) program delegations from EPA.
- Maintain delegation of the SDWA program from EPA.
- Develop and implement a State Revolving Fund (SRF) to provide loans for wastewater treatment facilities.
- Promote and administer funding mechanisms to optimize Statewide water quality program implementation.
- Employ planning and program evaluation mechanisms to increase the efficiency and effectiveness of WQM programs.
- Maximize interagency coordination in water quality program planning and implementation.
- Promote public understanding and involvement in water quality issues.
- Encourage public participation in all water quality management planning and program development efforts.
- Support the establishment and expansion of a pollution prevention program to include toxic use reduction, source reduction, recycling, minimization, reclamation, reuse and conservation.

PARTICIPANTS IN WQM PLANNING AND IMPLEMENTATION

Responsibility for water quality planning and management is shared by a wide variety of federal, state, local and regional agencies. ADEQ is the lead agency for carrying out the mandates of the CWA and SDWA, and is identified in the EQA as the State planning agency for environmental quality management programs. In order to accomplish State WQM goals, ADEQ depends upon and encourages the participation of all interested and affected entities. ADEQ recognizes the roles other agencies play in protecting our natural resources and attempts to coordinate interagency activities informally, as well as through delegation of authorities, and designation of water quality planning and management agencies.

The Department may extend its WQM power to other agencies, through its local delegation authority (A.R.S. §49-107). Delegation is the authorization of one agency to act as the representative agent for another. The Director may delegate to a local environmental agency, health department or municipality, or a county board of health, any functions, powers or duties which can be competently, efficiently and properly performed by the local agency. The local agency must accept the delegation and agree to perform the delegated functions, powers and duties according to the standards of performance required by law and prescribed by the Director.

A designated planning agency (DPA) is an established local, regional, state or federal agency or another entity with adequate resources, authority and desire to assume responsibility for WQM planning activities in a particular area. These activities include, but are not limited to the coordination of public participation and special studies, identification of local issues and provision of technical assistance to management agencies, and coordination of water quality management plan amendments and updates. The six Council of Governments (COGs) currently serve as the DPA's for their appropriate portions of the State. (The boundaries of the COGs are shown in Figure 3 on page III-9.)

A designated management agency (DMA) is an entity with adequate resources, authority and desire to implement and enforce portions of a Water Quality Management Plan. The Governor, in consultation with the DPA, designates DMAs for specific areas of the State. Designated management status differs from delegation status in that the designated agency already possesses the necessary authorities through law, rule or statutue. The authorities needed by an entity to become a DMA are listed in Appendix IX. DMAs will vary in their specific characteristics and capabilities but all to some degree or another will share the following attributes:

- Appropriate legal authority to carry out designated responsibility.

- Financial solvency including, if appropriate, the ability to raise revenue through taxes or fee collection, the ability to accept grants or funds from other sources for water pollution management purposes, and the ability to incur short- and/or long-term indebtedness for water quality management.

- Administrative competence with the organizational resources, personnel resources, equipment and facilities necessary to provide administrative and management support required for effective water quality management programs.

- Technical competence with the personnel resources, equipment and facilities needed to carry out the required technical water quality management activities.

- Public acceptability so that the designated management agency will be recognized and accepted as a legitimate entity with the appropriate water quality management mission, within its management area.

- Political accountability so that the leadership of the management agency is accountable to the public served within the agency's management area.

Various agencies have responsibility for specific portions of the water quality management process. Several of these agencies have already entered into water quality management or planning contracts, intergovernmental agreements (IGAs) or Memoranda of Understanding (MOUs) with ADEQ. Existing areawide WQM designations, pursuant to CWA Section 208, will remain in force, as long as the agencies continue to meet their designated/delegated responsibilities. See Appendix III for further discussion of WQM agencies.

In further developing a comprehensive statewide water quality management program, additional planning and management agencies may be designated by ADEQ to have specific implementation responsibilities. An example of prospective WQM agency delegations and designations can be found in the "Arizona Nonpoint Source Water Quality Management Program" plan (1989).

PUBLIC PARTICIPATION IN THE WQM PLANNING PROCESS

Participation in the statewide WQM planning process by all state, regional and local agencies, special interest groups, and the general public, is critical to ensure effective development and implementation of comprehensive and well-integrated statewide water quality management policies and plans.

ADEQ offers opportunities for public input and involvement in the development and implementation of State WQM programs. ADEQ encourages other WQM planning and management agencies to do the same, so that local, regional, and state WQM programs may best address the needs of the citizens of the state.

For CWA, RCRA, or SDWA-related activities, the federal public participation regulations in 40 CFR Part 25 (or any specific program rule) are followed for public notices and hearings. If the program is not based on federal law, the length of notice and other public participation requirements are based on the appropriate state statute or rule. In most cases, ADEQ's administrative codes (A.A.C. R18-1-401 and 402) define these requirements (see Appendices X and XI). If a state program has adopted separate public participation rules, these separate rules apply. In a few instances, state or local public participation activities are not covered by state statute or administrative rules or codes; in these cases, the federal public participation rules (40 CFR Part 25) are followed.

The following sections detail the public participation requirements for various programs and activities.

WQM Plan Adoption and Amendment

WQM planning agencies, including those designated under CWA Section 208, must follow the public participation requirements as specified in 40 CFR Part 25 when undertaking water quality planning authorized by the CWA. Designated planning agencies are encouraged to consult ADEQ early on in their WQM planning efforts, in order to assure the adequate implementation of state and federal public participation requirements.

Public participation requirements for designated planning agencies involved in federal water programs include the following:

- Holding public hearings on all revisions to the WQM plan.
- Maintaining at least one set of documents relevant to the appropriate WQM plan, in a location which is accessible to the public.
- Developing, maintaining and utilizing a notification list of persons or organizations interested in, or significantly affected by, the WQM plan and amendments.
- Publishing public notices 45 days before hearings. Notification may be reduced to 30 days, or waived in some circumstances, upon EPA approval.
- Making relevant documents available at least 30 days before hearings.
- Keeping records of public hearings.
- Developing a responsiveness summary for each public hearing.

Informal public meetings and consultations should begin at an early stage of WQM planning document adoption/amendment, so that public views may be assimilated into the planning process.

Construction Grants/State Revolving Fund

Both federal and state public participation activities will occur through the transition from the federal Construction Grants program to the new State Revolving Fund (SRF) program. Public hearings on the Construction Grants priority list for funding water quality management projects have been held according to federal public participation regulations (40 CFR Part 25).

After the above transition is completed, public notices and hearings on State Revolving Fund activities will follow Arizona Administrative Codes (A.A.C. R18-1-401 and 402). The final State SRF rules should be consulted regarding specific SRF public participation activities.

WQM Program Rule Development

Amendment and adoption of State WQM program rules must follow the public participation process for rule making, described in the Arizona Administrative Procedures Act (APA; A.R.S. Title 41, Chapter 6, Article 3) and in the administrative codes (A.A.C. R18-1-301 et. seq). The APA allows persons to petition an agency for the adoption of a rule, in the manner

and form prescribed by the agency (A.R.S. §41-1033). The APA and the AAC rules cited above should be consulted for more information on public participation in rule making.

The public participation process used by ADEQ for rule making has two stages: (1) the informal stage, before the drafting of the final proposed rule; and (2) the formal stage, beginning with the official notice of proposed rule making. During the first stage, a concept paper and/or preliminary draft rules may be made available for review and public meetings may be held.

A notice of the proposed adoption, amendment or repeal of a rule must be filed with the Secretary of State and published in the Arizona Administrative Register. For at least 30 days after the publication of proposed rule adoption, ADEQ must give the public an opportunity to comment on the rule. ADEQ must schedule an oral proceeding if, within this time, at least five persons request that one be held. In most cases, ADEQ will hold oral proceedings for all major rule makings, even if they are not officially requested. Figure 2 outlines the general departmental rule development process.

Aquifer Classifications and Standards

Arizona procedures for public participation in the identification, classification and reclassification of aquifers are found in A.A.C. R18-11-501 et. seq. Any person may petition the Director to reclassify an aquifer or part of an aquifer for a protected use other than drinking water, pursuant to A.R.S. §49-224 and A.A.C. R18-11-503. In addition, any person may petition the Director to adopt numeric aquifer water quality standards for a pollutant for which no such standard exists. These petition procedures are defined in A.R.S. §49-223 and A.A.C. R18-11-408.

Proposed changes to aquifer boundaries and standards will be reviewed by ADWR's Groundwater User's Advisory Council (GUAC), established pursuant to ARS Title 45, Chapter 2, Article 2, where appropriate.

Surface Water Quality-Based Actions

The State will issue notices of proposed surface water quality-based actions (i.e., Total Maximum Daily Load (TMDL), Water Quality Limited Segment (WQLS) and 304(l) list determinations (see Chapters III and IV)), and will hold public hearings if significant public interest is shown in these matters. Notices of proposed action regarding WQLS, TMDLs and load allocations may be issued in conjunction with other water quality program actions, such as NPDES permits, surface water quality standards revisions, and water quality management plan updates. Each notice, in this instance, will identify specific water quality-based actions as part of the subject matter.

Permit Programs

Most permit programs authorized under the CWA must meet the requirements of 40 CFR Part 25. The UIC and NPDES permit programs must meet the public participation requirements in 40 CFR Part 123. For state permit programs, public participation rules will normally be found in the individual program rules. If individual program rules do not include public participation requirements, the general ADEQ public notice and public hearing rules,

pursuant to A.A.C. R18-1-401 and 402 will be followed.

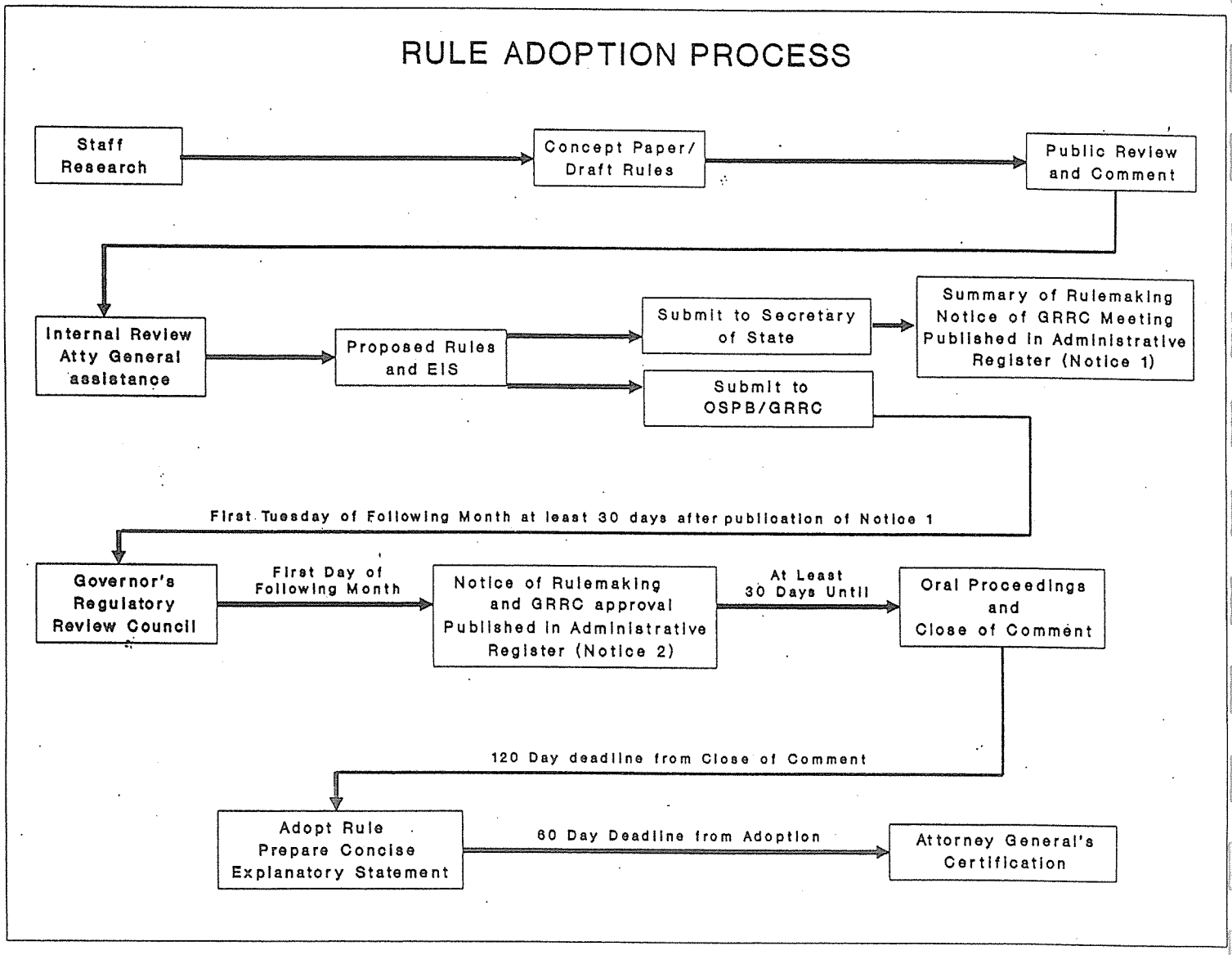
State Superfund (WQARF)

Public participation requirements for the State's superfund annual priority lists and remedial action plans are described in the Water Quality Assurance Revolving Fund (WQARF) rules (A.C.C. R18-7-110).

State Water Quality Program Advisory Groups

Several formal and informal advisory groups provide ADEQ with information necessary to ensure that comprehensive and effective water quality management programs are developed in Arizona. Many of these groups were established in the EQA; others have been established by the Director to assist ADEQ in dealing with some of the complex programs created by the EQA. The advisory groups follow ADEQ's public participation requirements. A description of these groups is found in Appendix IV.

ADEQ RULE DEVELOPMENT PROCESS
FIGURE 2



CHAPTER II

WATER QUALITY MANAGEMENT PLANNING

Federal and state laws outline the framework by which state and local governments may establish water quality management goals and develop programs which meet these goals. A Statewide planning process is implemented in Arizona for the purpose of aiding the achievement of WQM objectives.

STATEWIDE WQM PLANNING

The State WQM Plan

The Environmental Quality Act (A.R.S. §49-203.B.4) authorizes the Director of ADEQ to develop, implement and administer a water quality planning process. The State Water Quality Management Plan, for current purposes, consists of the following components: 1) federal/state approved areawide and other regional WQM plans and amendments thereto (see Appendix VII for a current listing of areawide and other regional WQM Plans); 2) all final WQM rules, and programs implemented pursuant to state rules and law; 3) all final plans, reports and strategies, as listed in "State WQM Planning Activities and Priorities" (Chapter II); 4) final TMDLs and WQLS (see Chapters III and IV); 5) intergovernmental agreements between ADEQ and any designated planning agency (DPA) or designated management agency (DMA); and 6) ADWR Active Management Area Second Management Plans, 1991. The State WQM Plan is updated with the enactment of each newly adopted state plan component, rule, agreement, or strategy.

The WQM plans for the Indian nations (see Appendix VII) are enforced directly by EPA, and are not included as part of Arizona's State WQM Plan. Twenty-one Indian tribal governments have jurisdiction over approximately 28% of the land within the state of Arizona. Tribal lands include significant surface and groundwater resources. ADEQ intends to develop coordination efforts on statewide water quality planning activities with tribal governments. ADEQ encourages all WQM agencies to coordinate with tribes within and adjacent to their planning areas in the development of WQM Plans.

The State WQM Plan is used for many purposes, including insuring that awards of facility construction loans, construction of wastewater and water treatment facilities, and management practices, permits and plan approvals are consistent with WQM planning goals. These activities can be approved if found to be consistent with the relevant existing plan(s) as required by various federal and state regulations (CWA Sections 208 & 603; 40 CFR Parts 35, 122 & 130; A.R.S. Title 49 and A.A.C. R18-9 & 10 et. seq.). The State WQM Plan serves to assist the effective and integrated management of all water quality protection efforts.

New WQM Plans and Plan Amendments

The CWA, concomitant regulations (40 CFR Parts 35 and 130) and this document define the general process by which areawide and other WQM plans/amendments are developed and approved. ADEQ is required to "promote and coordinate the protection and enhancement of

the quality of water resources" consistent with state environmental policy, as well as to encourage "development which maximizes environmental benefits and minimizes the effects of less desirable environmental conditions" (A.R.S. §49-104.A.8 and 9). If any WQM plan becomes so outdated as to be inconsistent with state rules or policies, the director will encourage and may require the amendment of such plan, or the creation of a new plan, as appropriate.

The six Areawide WQM Plans are currently being updated to reflect new federal and state requirements so as to increase their effectiveness in guiding local and statewide water quality management activities.

Activities Requiring a WQM Plan Amendment

WQM plans are amended as needed, and the schedules for revision are determined by the appropriate DPA for the area. Contents of WQM plan amendments will vary, depending upon the changes proposed and the portions of the original plan that need to be updated. It is recommended that DPAs and DMAs consult with ADEQ prior to amendment preparation.

Amendments to areawide and/or regional WQM Plans are required in the following instances:

- When new WQM planning and/or wastewater management agency designations are made.
- When significant changes occur in the service area and/or population figures projected in current wastewater treatment facility plans or areawide water quality management plans.
- Prior to construction of facilities (regardless of funding source) or implementation of management practices which are inconsistent with the areawide or State plan.
- When changes in site-specific water quality standards associated with wastewater treatment facilities and/or management practices are made.

Proposed activities, such as those identified above, which are inconsistent with an existing, adopted WQM plan(s) cannot go forward until a plan amendment is approved by the Director, or until the activity is modified to be consistent with the existing plan(s).

ADEQ also requires that amendments be made to areawide WQM Plans to address significant growth in areas where water quality is threatened by particular activities such as heavy reliance on septic tanks. In these cases, ADEQ works with the DPA, DMA and other local and regional agencies to define the problem and encourage maintenance of adequate local wastewater treatment facilities. Any additional conditions included in areawide WQM plans are a matter of local determination.

Amendments to regional or areawide WQM plans may be necessary to implement changes in the State WQM Plan. ADEQ will work closely with appropriate planning and management agencies in this regard.

WQM Plan Approval and Amendment Process

Procedures for developing and updating areawide WQM Plans follow:

- The WQM plan or amendment is prepared by the appropriate designated management agency (DMA) or facility owner, in accordance with federal and state water quality planning rules and regulations, statutes and policies (e.g., 40 CFR Part 130, 40 CFR Part 25, Section 208 of the CWA, and the EQA). Designated or proposed management agencies will access the process through the appropriate regional or state Designated Planning Agency (DPA).

- The amendment author coordinates the preparation and content of the draft WQM plan amendment with the appropriate DPA, affected local government officials, and the DMA (if applicable), prior to preparation of the amendment. The author shall consult with these entities on the technical aspects and completeness of the plan amendment. It is recommended that ADEQ be consulted during this phase of the process.

- In order to facilitate the formal required review, the DPA will provide ADEQ with a copy of the draft amendment and checklist (see Appendix VIII) no later that 30 days prior to the public hearing. The DPA and ADEQ staff will work together, as resources allow, to identify and resolve issues prior to the close of the public review period.

- The DPA conducts a local public hearing on the plan or plan amendment in conformance with relevant federal and state public participation rules and requirements. The public participation rules apply to all stages of the amendment process, regardless of the project's funding source (see Chapter II, Public Participation in the WQM Process).

- The DPA coordinates the review and approval of the plan/plan amendment. This includes review and approval by the DMA or agencies (if applicable), and adoption by the appropriate policy-making body of the DPA.

- After regional approval, the DPA presents the plan/plan amendment to the State Water Quality Management Working Group (WQMWG). The Working Group, after reviewing the document and the public participation process involved, makes a recommendation to the Director of ADEQ concerning amendment adoption.

- The DPA will submit the responsiveness summary for the public hearing, as well as the plan/plan amendment, verification of appropriate approvals, self-certification (see Appendix IX) and the completed checklist, to the Department for formal review. ADEQ will, within 30 days of submittal, review the plan/amendment for consistency with federal and state laws and regulations and with state procedures contained in this document. The review criteria found in Appendix VIII will be used by ADEQ in its review of the plan/amendment.

- The level of review conducted by the Department may vary dependent upon resources. If the Department finds the plan/amendment to be deficient, it will notify the DPA of the deficiencies, and of the need to revise the plan/amendment and to resubmit it for

local review, public hearing, and local approval, prior to resubmission to the Department.

- The Department may choose to handle outstanding issues directly, rather than refer the plan/amendment back to the DPA. In such cases, the Department will hold a public hearing in the local area affected by the plan/amendment. If the Department determines from the public hearing that the plan/amendment needs to be revised, it will notify the DPA of the deficiencies. Once appropriate revisions are complete, the local plan review and approval processes are conducted again, prior to resubmission to the Department.

- If approved by the Director, the plan/plan amendment is submitted to the Governor for certification that it has been incorporated into, and is consistent with, the State WQM Plan.

- Certified Areawide WQM Plan amendments affecting federally-funded wastewater facilities, water quality standards and other federal water programs must be submitted to EPA for review and approval. The submittal to EPA includes the amendment, all necessary approvals and certifications, a summary of public participation activities including documentation of local public hearing(s), and a responsiveness summary (see 40 CFR 25.8).

- The Regional Administrator, EPA, Region IX, has the discretion to require further revisions before approving the submitted plan/plan amendment. Any further revisions are the responsibility of the originating DPA, and must be subjected to public review and ADEQ approval, as defined above.

STATE WQM PLANNING ACTIVITIES AND PRIORITIES

Allocation of the limited resources available for water quality management is a critical process in Arizona. Annual appropriations are established under federal law and the EQA, as are mandates and guidance for establishing priorities for the use of these funds. EPA and ADEQ negotiate the allocation of funds each year to reflect state and federal program priorities in the ADEQ budget. State program priorities are based upon appropriations, and upon statutory and regulatory mandates, policies and strategies established to meet WQM objectives.

Overview of WQM Planning Activities

Planning for an effective WQM program is based upon a variety of different activities, including:

- Water quality monitoring.

- Evaluation of water quality trends and program effectiveness.

- Identification of water quality problems.

- Development of strategies and plans to address WQM priorities.

- Periodic review of the entire WQM process to assure effective and coordinated implementation of WQM programs.

- An effective public participation program, which involves municipalities, state, regional and federal agencies, businesses, industries, special interest groups, and private citizens who have water quality management interests and responsibilities.

- Water and wastewater facility plan review to ensure that environmental quality and capacity requirements can be met, given projected growth in an area.

Annual Workplan

The OWQ annual workplan is a detailed operational plan for state and federally funded WQM programs. The purpose of the workplan is to enumerate and allocate available resources for state WQM activities to be accomplished during the upcoming federal fiscal year (October 1 through September 30). The OWQ workplan is revised annually. The federal portion of the workplan is subject to EPA approval prior to the State receiving federal funds.

Those portions of the workplan which are funded by federal grants are sent out for state agency review and input via the Arizona State Clearinghouse. The current OWQ workplan is available for inspection by all interested parties at the ADEQ central office.

WQM Strategies

A number of multi-year statewide water quality management program strategies have been developed. Generally, these strategies describe how various water quality management programs will be approached by ADEQ, and how federal and state legislative mandates will be implemented. ADEQ strategies include:

- "State of Arizona Groundwater Protection Strategy", 1989. This document guides state and areawide efforts in planning, development and implementation of groundwater protection programs.

- "Arizona Surface Water Quality Monitoring Strategy", 1990. This document guides short-term statewide surface water quality monitoring efforts.

- "A Plan to Establish an Ambient Groundwater Quality Monitoring Network in Arizona", 1991. This document guides statewide ambient groundwater monitoring efforts.

- "Arizona Drinking Water Compliance Assurance Plan", 1991. This plan provides the framework for achieving statewide drinking water system compliance. It addresses system viability criteria and a regulatory implementation strategy.

- "Arizona Nonpoint Source WQM Program Plan", 1989. This document guides statewide development and implementation of nonpoint source management programs.

- "State of Arizona Wellhead Protection Program", 1992. This voluntary program promotes and supports coordinated groundwater protection efforts between local communities, ADEQ and EPA in protecting and managing groundwater supplies, particularly drinking water supply wells.

- "Generic State Management Plan for Pesticides", 1993. This document describes the various responsibilities of a number of state agencies with respect to pesticides issues.

Additional planning information to assist ADEQ water quality management program priority setting is obtained through the following studies and processes.

Clean Lakes Classification (CWA Section 314)

The Clean Lakes Priority list, which is included as a component of the State's Water Quality Assessment Report, is developed as a guide for the allocation of federal and state lake restoration funds. The Clean Lakes priority list is revised periodically, through funding by CWA Section 314 Lake Water Quality Assessment Grants.

Construction Grants Needs Survey (CWA Sections 205 and 516)

Sections 205(a) and 516(b) of the Clean Water Act require EPA to provide Congress with an estimate of the need for publicly-owned wastewater treatment works. ADEQ has conducted the needs survey in Arizona biennially and transmitted the information to an EPA contractor for integration into a national survey. The survey is a record of cost and technical data for existing and proposed public facilities in the U.S. and its territories. Results of the survey form the basis for overall planning and priority setting, both nationally and locally. The survey provides an assessment of the total future federal funding that would be necessary for the Construction Grants and State Revolving Fund (SRF) programs. With the termination of the construction grants program, EPA is working to establish a mechanism for future needs surveys. EPA is trying to get the states to assume this program.

Construction Grants/SRF Priority Selection and Planning Process (CWA Section 201)

The Arizona Administrative Codes (A.A.C. R18-10-104 through 106) contains the process used for ranking SRF and Construction Grants projects. The resultant priority list is revised annually. The priority system process document is available for public inspection at ADEQ offices.

During the transition from the federal Construction Grants Program to Arizona's State Revolving Fund (through 1994), water quality management planning funds are available under Section 604(b) of the Clean Water Act. The 604(b) grant is a 1% reserve of the State's Construction Grant monies or $100,000, whichever is greater, and this reserve is subject to the 40-percent pass through provision to regional public comprehensive planning organizations (RCPCO), interstate organizations (IO) or designated areawide water quality planning agencies (DPA). The 604(b) planning funds are to be used to determine the nature, extent, and causes of point and nonpoint source water quality pollution problems and to develop plans as described in CWA Section 208, to resolve these problems.

Nonpoint Source Pollution Control Demonstration Project Ranking Process (CWA Section 319)

EPA grant funds are awarded to NPS demonstration projects (CWA Section 319(h)) based on the State's ranking of submitted proposals that specifically address problems attributable to nonpoint sources of pollution. The proposals are evaluated based on information and recommendations presented in the NPS Assessment portion of the State Water Quality Assessment (305(b)) report, the NPS Management Plan and EPA guidance. The NPS assessment is updated and incorporated into the State Water Quality Assessment (305(b) or 205(j)) Reports each year.

State Water Quality Assessment Report (CWA Section 305(b)/205(j))

Section 305(b) of the CWA requires that the quality of the state's navigable waters and programs necessary to attain water quality goals be assessed, and that a complete report of the assessment be prepared and submitted to EPA every two years. Section 205(j) of the CWA requires the state to prepare annual water quality assessment reports. In alternate years, when the State of Arizona Water Quality Assessment (305(b)) Report is prepared, it satisfies this requirement. The 205(j) reporting requirement may be satisfied by certifying that the most recent 305(b) Report is still current, or by submitting necessary updates.

The Water Quality Assessment Report serves as the State's primary surface and groundwater quality problem assessment. Water quality control programs and policies may be developed or changed, depending upon the data and problems identified in the Assessment Report. Water quality problems identified in this report are emphasized and reflected in the annual workplan. Pursuant to the CWA, the State Water Quality Assessment Report includes:

(1) A description of the quality of state surface and ground waters and an appraisal of the protection offered by the designated use classifications.

(2) An analysis of discharge elimination efforts and the success of these efforts in achieving fishable/swimmable waters.

(3) Clean Lakes and wetlands assessments.

(4) An assessment of nonpoint sources of pollution and recommended goals.

(5) Trend analyses.

(6) Identification and definition of chronic water quality problems and a priority ranking of stream segments for management action.

(7) Identification of water quality limited segments (WQLS).

(8) An estimate of the environmental, social and economic impacts of achieving or not achieving the goals of the Act. (May not be included due to unavailability of resources.)

(9) An expected date of achievement of the goals. (May not be included due to unavailability of resources.)

Copies of the Water Quality Assessment ("205 (j)" and "305(b)") Reports are available for inspection at ADEQ's central office.

Superfund Site Identification, Prioritization and Ranking Process

In order to identify and prioritize possible federal Superfund cleanup sites, potential contamination areas undergo screening and evaluation under Preliminary Assessment/Site Inspection (PA/SI). Based on the results of the preliminary assessment, a site inspection may be recommended. The PA/SI information is analyzed through the Hazard Ranking System (HRS), and the site is "scored". Eligible sites are recommended for placement on the National Priorities List for Remedial Investigation and Feasibility Study (NPL), under the federal Superfund program.

The PA/SI activities may be conducted by the State or by EPA. Sites that are placed on the NPL are further evaluated. During a remedial investigation, the characteristics of the site are further studied, and the sources and extent of contamination are determined. This information, which is evaluated in the Feasibility Study and ends with a recommendation for appropriate action, is considered in the Federal-State decision of action. The State may be the lead agency on a Superfund site, or provide a support to Federal-lead Superfund program activities.

Water Quality Assurance Revolving Fund Prioritization and Ranking Process

The EQA expanded the authorities of, and increased funding for, the Water Quality Assurance Revolving Fund (WQARF). WQARF monies may now be used for the assessment, control, management and clean-up of hazardous substance releases which pose a threat to the waters of the State. WQARF rules (A.A.C. R18-7-101 et. seq.) establish criteria for determining priorities among sites requiring remedial action. The Department must develop an annual priority list of proposed remedial action projects to be funded by WQARF monies, subject to public review and comment.

CHAPTER III

WATER QUALITY STANDARDS AND WATER QUALITY ASSESSMENT

The primary mission of the State WQM program is to preserve, protect and enhance the quality of water resources for the benefit of the environment and public health. Water quality standards, the foundation of the State WQM process, are established and maintained to protect the designated and existing uses of waters of the state. State standards establish water quality goals for specific water bodies and serve as the basis for water quality management control decisions. See Chapter IV for a discussion of drinking water standards.

Arizona water quality standards requirements for aquifers, navigable waters and other waters of the state are found in A.R.S. Title 49, Chapter 2, Article 2 and in A.A.C. Title 18, Chapter 11.

WATER QUALITY STANDARDS

Navigable Water Quality Standards

State Water Quality Standards for Navigable Waters are found in A.A.C. Title 18, Chapter 11. At least once every three years, as required by the CWA, ADEQ holds public meetings and oral proceedings for the purpose of reviewing and updating Arizona's water quality standards and designated uses for navigable waters ("triennial review"). Modified or new standards are adopted, as appropriate, and submitted to EPA for approval. State navigable water quality standards may be more stringent than federal standards. However, State standards which are not as stringent as federal standards may be superseded by stricter federal criteria. Federal regulations for navigable water quality standards development and implementation are contained in 40 CFR Part 131.

Designated uses are set for individual segments of navigable waters in order to protect existing and potential uses. Through the "tributary rule," the standards for any surface water segment not specifically listed in the state standards are based on the designated uses of the nearest listed downstream water that is not an effluent-dominated water.

In order to demonstrate that a designated use is not appropriate for a navigable water, pursuant to CWA Section 101(a)(2), a use attainability analysis (UAA) must be conducted. A UAA is a structured scientific study which shows that a designated use is not existing or not attainable. Physical, chemical, biological, and economic factors may be considered. State rules regarding UAA's are located in the A.A.C. R18-11-104(H).

Numeric navigable water quality standards, established for various pollutants, exist for each general designated use category. Site-specific standards may be adopted by rule for specific navigable waters, according to state rules located in A.A.C. Title 18, Chapter 11, Section 109.

Narrative standards are general, non-numeric criteria that prescribe conditions which must be maintained or which may not be exceeded in navigable waters. Narrative water quality

standards afford extra protection for designated uses which may not be provided by numeric standards. Special categories of navigable waters are recognized in the standards. After a petition and required supporting information is filed with ADEQ, a navigable water may be classified as a "unique water", because of its exceptional recreational or ecological significance (A.C.C. R18-11-112). "Effluent-dominated waters" (EDWs) are also classified by rule (A.C.C. R18-11-113). Separate, sometimes less stringent standards apply to EDWs, however these standards are intended to fully protect human, aquatic and wildlife uses of the waters. Site-specific standards may be adopted for unique waters and for effluent-dominated waters if they meet the requirements specified in the standards. Current listings of unique waters and EDWs are contained in the State's Water Quality Standards for Navigable Waters.

The State's antidegradation policy, as found in A.A.C. R18-11-107 ensures protection for all surface waters in conformance with federal antidegradation requirements (40 CFR 131.12). Criteria and procedures for establishing mixing zones and nutrient waivers are also contained in the Water Quality Standards for Navigable Waters, as are general compliance and enforcement provisions.

Aquifer Water Quality Standards

Aquifer water quality standards consist, at a minimum, of the Maximum Contaminant Levels (MCLs) set by EPA for primary drinking water supplies. The State will continue to adopt the federally promulgated MCLs as Aquifer Water Quality Standards. Additional drinking water Aquifer Water Quality Standards are promulgated, based upon documentation of the necessity to protect public health. Additional numeric standards and use reclassification of aquifers may be granted through petitions (see page 6). State Aquifer Water Quality Standards for uses other than drinking water can only be promulgated after an aquifer has been reclassified to a non-drinking water use.

WATER QUALITY MONITORING & ASSESSMENT

State waters are monitored to determine if water quality standards are being met, and if designated uses are being protected. Information to make these determinations is collected through ambient monitoring programs and through required permittee discharge monitoring.

Water quality monitoring information, utilizing chemical, physical and biological data for surface and ground waters, enables ADEQ and EPA to make WQM decisions that are based on sound scientific information. Water quality monitoring data provides information for development of site-specific standards, for pollution abatement and discharge control requirements, for measuring water quality trends and assessing WQM program performance.

Statewide monitoring of soils and the quality of waters of the State is required by A.R.S. §49-225. The EQA requires that ADEQ conduct ongoing water quality monitoring, with the advice and cooperation of the Department of Agriculture and Arizona Department of Water Resources. Water quality monitoring is also required under CWA Section 106.

Water quality monitoring results and problems are documented in the State Water Quality Assessment Report (see page 15). The EQA requires ADEQ to report annually to the

executive and legislative branches of state government on the status of groundwater program sampling and enforcement actions (A.R.S. §49-225).

Ambient Groundwater Quality Monitoring

ADEQ collects data from all state agencies and maintains a statewide pollutant database for all groundwater and soils sampled. Arizona's ambient groundwater monitoring program is described within "A Plan to Establish an Ambient Groundwater Quality Monitoring Network in Arizona" (1991).

Ambient Surface Water Quality Monitoring

Baseline water quality conditions are established for state surface waters through the ambient water quality monitoring program. The Arizona Surface Water Quality Monitoring Strategy (1990) describes the state's framework for evaluating the quality of its surface waters. The following are descriptions of the surface water quality monitoring programs and their functions in assessing ambient water quality conditions:

The Fixed Station Network (FSN)

The Fixed Station Network consists of fixed water quality sampling stations, operated by the USGS under contract to ADEQ, and stations operated by ADEQ, which are monitored periodically. The utility of FSN data is twofold. ADEQ is kept constantly apprised of surface water quality standards violations at key locations in the State via this network. Secondly, the network also provides a long-term database that allows the examination of baseline surface water quality characteristics. Long-term trends in surface water quality can be identified using this data. In addition, the chemical variations inherent in Arizona waters can be documented for use as baseline statistics. The FSN database has been of value to ADEQ in designing surveys, setting numeric navigable water quality standards, evaluating construction of proposed water management facilities and assessing the seriousness of surface water quality problems.

Toxics Monitoring

Since WY 1985, the Priority Pollutants Monitoring Program has been a cooperative effort shared by the U.S. Fish & Wildlife Service (USFWS), Arizona Game and Fish Department (AGFD), EPA, and ADEQ. Monitoring station site selection is coordinated among agencies with an interest in water quality management. The goals of the priority pollutant sampling program are to establish a database for a wide range of toxic parameters on a statewide basis, and to provide a continuous monitoring system through which water quality problems can be identified. Water, sediment and fish tissue samples are collected for EPA by the USFWS and AGFD. Laboratory analyses are performed by EPA for the priority pollutants, including heavy metals, pesticides, volatile organics, PCBs and plasticizers.

Intensive Surveys

Criteria for intensive survey eligibility include potentially significant environmental and health impacts. In the Arizona Surface Water Quality Monitoring Strategy, specific areas are identified for intensive surveys of repeated samplings, usually to occur over a span of less than

one year. Sampling plans are prepared for each intensive survey, identifying tasks, procedures and responsibilities, including final report preparation.

Enforcement and Complaint Investigations

Surface water quality investigations are conducted by ADEQ, as needed, in response to emergencies and public complaints. Information gathered during these investigations is assimilated into the water quality database, as appropriate.

Water Quality Limited Segments (CWA Section 303(d))

A water quality limited segment (WQLS) is a surface water body that has been assessed by ADEQ as not meeting navigable water quality standards, and one which is predicted not to meet standards if pollutant discharge is increased, even after the application of technology-based controls. Section 303(d) of the CWA requires the State to identify those waters in which applicable navigable water quality standards will not be achieved by using technology-based effluent limitations alone.

Arizona's WQLSs are identified in the current State Water Quality Assessment Report. ADEQ will establish priority rankings and project total maximum daily loads (TMDLs) for such waters (see Chapter IV). Priority WQLSs will be subjected to wasteload analysis (WLAs) for all discharges. General criteria used for analysis and prioritization of Arizona's WQLSs are as follows:

(1) Number of dischargers per water body segment and number and type of permit violations.

(2) Nature and severity of violations of water quality standards.

(3) Conditions where designated uses are threatened.

(4) Nonpoint source pollution loading.

(5) Availability of data.

(6) Possibility of management.

304(l) Listed Waters

Section 304(l) of the Clean Water Act requires every State to develop lists of impaired waters, to identify certain point sources and amounts of pollutants causing toxic impact, and to develop individual control strategies for each point source identified. Section 304(l) requires the State to submit four lists to the EPA. The first list must include waters which after application of technology-based effluent limits cannot reasonably be anticipated to attain or maintain water quality standards for priority pollutants adopted under Section 303 (c)(2)(B) of the CWA.

The second list must include all waters which, after application of technology-based effluent limits, cannot reasonably be anticipated to attain or maintain water quality which will assure

protection of public health, public water supplies, agricultural and industrial uses, allow recreational activities in and on the water, and protect and propagate a balanced population of shellfish, fish and wildlife.

The third list must include waters which, due entirely or substantially to discharges from point sources, do not meet numeric or narrative water quality standards for the toxic pollutants listed under Section 307(a). The fourth list must include point sources which are discharging Section 307(a) pollutant(s) into the waters listed on the list of waters required by paragraph (1)(B) of Section 304(l). This list of point sources must also include the amount of pollutants that the point source is discharging into the water.

In order to produce the above lists, ADEQ evaluates Arizona's surface waters and point source facilities. The basis for placing a facility on the 304(l) facility list is evidence of State water quality standards violations. The listing process is based on evaluation of monitoring data from several sources, including ADEQ monitoring and the facilities' own monitoring. All data used in the decision to list are discussed with facilities' representatives, and questionable data are eliminated. In future years (after WY1989), the requirements of 304(l) may be met by annual water quality assessments.

For further information, see the June 2, 1989, EPA Final Regulations for Section 304(l), published at 54 Federal Register 23868 to 23899.

QUALITY ASSURANCE & QUALITY CONTROL (QA/QC)

Quality assurance and sampling methodology for ADEQ's groundwater and surface water monitoring activities are established under the OWQ Quality Assurance Project Plan (QAPP). This Plan includes EPA-approved sampling methodologies and associated quality assurance and quality control (QA/QC) protocols for laboratory and field work.

The QAPP is updated annually, and establishes QA/QC requirements for ADEQ's water quality and soils sampling programs. Quality assurance information from the QAPP and EPA-approved water and soils sampling methods are being used in the development of Arizona's "Groundwater and Soils Sampling Guidelines". After finalization, this document will be used by all state agencies that conduct groundwater and soils sampling to help ensure accurate and comparable data acquisition (ARS §49-225).

CHAPTER IV

WATER QUALITY MANAGEMENT PROGRAM IMPLEMENTATION

The State Water Quality Management (WQM) Plan is implemented through water quality management programs which include water quality standards certification, point and nonpoint source management programs, facility plan review and permitting, the drinking water program, compliance and enforcement activities, remedial actions and the State Revolving Fund administration. The Arizona Department of Environmental Quality monitors and assesses the success of WQM program implementation through ambient and compliance monitoring, and through facility inspections. State and federal compliance and enforcement actions are employed, when necessary, to ensure that management program requirements are properly implemented.

STATE WATER QUALITY STANDARDS CERTIFICATION

State Standards Certification Process

The State Water Quality Standards Certification process is designed to assure that all federal and state requirements regarding navigable water quality standards will be met. If the evaluations associated with the water quality standards certification process do not demonstrate that all water quality standards requirements will be met, the proposed activity or permit will not receive a State Water Quality Standards Certification.

Any applicant for a federal or state license or permit to conduct an activity which might result in a point source or nonpoint source discharge of pollutants to navigable waters, including riparian areas/wetlands, must provide the appropriate licensing or permitting agency with a certification from ADEQ that such discharge will comply with State Water Quality Standards for Navigable Waters.

This certification process pertains to all CWA Section 402 and 404 activities and any case where the Department feels that there may be navigable water quality standards violations as a result of a proposed activity, including the following:

- Discharges from point or nonpoint sources.
- Construction activities within a floodplain.
- Extractive activities within a floodplain.
- Major changes in land use or resource management within a watershed where the Director determines that impacts to surface water quality attributable to these activities are possible.

To ensure that narrative criteria and antidegradation requirements of the Water Quality Standards for Navigable Waters are met, ADEQ performs a variety of analytical and qualitative activities as outlined in the following process:

(1) Utilize monitoring data to establish water quality baseline conditions and trends for the navigable water segment in question.

(2) Where necessary, determine loads attributed to the point and nonpoint source pollution generating activities in the watershed (see TMDL/WLA/LA process below).

(3) Assess the individual and cumulative impacts of existing loads to identify situations where water quality may diminish and where designated uses could be impaired.

(4) Based upon the results of loading analyses, amend existing permits and best management practices, as possible, to afford necessary additional water quality protection.

(5) Issue state certifications if all water quality standards requirements will be met, or where it has been demonstrated that accommodating diminished water quality is a necessary result of important social or economic development in the watershed.

(6) Where proposed discharge-generating activities would result in a situation where water quality would not be protected to the degree necessary, a State water quality standards certification would not be issued. Upon certification denial, the proposed activity or permit could be modified and resubmitted to the evaluation process, or the denial could be appealed to the Director.

(7) Existing activities which appear to violate state water quality standards will be evaluated, and controls revised accordingly.

Requests for State Water Quality Standards Certification should be submitted to ADEQ and should contain the following information:

(1) Name and address of the person requesting certification.

(2) A description of the proposed facility and/or activity for which certification is requested including schedules for the acquisition of any state or federal licenses or permits.

(3) Supporting data and analyses to determine compliance with water quality standards.

(4) If no state or federal licenses or permits are required, then the person requesting certification should include a date when the proposed facility and/or activity in question will commence.

New navigable water discharge permits and permit renewals automatically include the State certification process according to established permitting schedules. All other certifications will be accomplished as resources allow. The Department may issue conditional certifications or deny certifications as necessary.

Total Maximum Daily Load/Wasteload Allocation/Load Allocation Process

A Total Maximum Daily Load (TMDL) represents the pollution assimilation capacity of a given navigable water, as calculated on a daily or monthly basis. A TMDL is the maximum

load of a specific pollutant or property of a pollutant which may be discharged into a given body of water without impairing the designated uses of the water. Thus, more than one TMDL may be required for a navigable water. Section 303(d) of the CWA requires the State to determine TMDLs for all water quality limited segments.

A TMDL, for any navigable water, is made up by the pollutant loading derived from existing and future point source discharges, or waste load allocations (WLAs), and the pollutant loading derived from all existing and future nonpoint sources of pollution and natural background sources, or load allocations (LAs). Waste load allocations are the assigned maximum pollutant discharge amounts upon which NPDES permit discharge limits are based.

The TMDL process assigns margins of safety, distributes treatment burdens and considers nonpoint source controls. TMDLs may be established using a pollutant approach based on mathematical modeling, or a biomonitoring approach using bioassays or biosurveys. Determinations of WLAs/LAs and TMDLs take into account critical conditions for streamflow, loading, and water quality parameters. Data sources for determining problem water bodies, water quality limited segments, and TMDL/WLA/LAs include discharge monitoring data, historical reports, Basin Plans, ambient water quality surveys, complaint investigations, fixed-station monitoring data, and areawide planning studies.

The processes described in EPA's "Guidance for State Water Monitoring and Wasteload Allocation Programs" (1985), "Guidance for Water Quality-Based Decisions: The TMDL Process" (1991), and other EPA technical guidance manuals will be used in making TMDL/WLA/LA determinations on identified water quality limited segments. As EPA guidance manuals are updated, state processes will also be updated.

State-adopted TMDLs are sent to EPA for approval, and are automatically incorporated into the State Water Quality Management Plan, after approval, through discharge limits in NPDES permits, SRF project specifications and nonpoint source controls. WLAs, LAs, and the management strategies designed to meet them will be evaluated, through ambient and compliance monitoring, to ensure that water quality standards continue to be met.

POINT SOURCE POLLUTION CONTROL PROGRAM

To ensure that water quality standards are met, and thus designated uses protected, EPA and/or ADEQ administer the following programs in Arizona to control point source discharges of pollutants to surface waters and aquifers.

National Pollutant Discharge Elimination System (NPDES) Permits

ADEQ currently administers portions of the NPDES program for EPA, without formal delegation, pursuant to an agreement with EPA entitled "NPDES Interim Program Description", (revised) 1980. EPA gives final approval for NPDES permits, and is responsible for enforcing the permits.

Pursuant to the EQA, the Department intends to adopt, by rule, a permit program consistent with CWA Section 402, to control point source pollutant discharges into navigable waters

(A.R.S. §49-203). Once Arizona's navigable water discharge permit program is in place, ADEQ will apply to EPA for NPDES program primacy.

Discharge limits are based on technology-based requirements and existing State water quality standards. Specifications for establishment of mixing zones in navigable waters are found in A.A.C. R18-11-114. The majority of permitted discharges in Arizona are to non-perennial streams, therefore, in most instances low flow conditions are seasonal "no flow" conditions, and no mixing zone can be granted. Where applicable, navigable water discharging facilities will be required to implement the Aquifer Protection Permit (APP) Program's Best Available Demonstrated Control Technology (BADCT).

New NPDES permits are issued on a "first in - first out" basis. Generally, permit renewals occur on a regular 5-year cycle, as determined by the life of the permit. Some permits may be reopened and modified as needed to implement Individual Control Strategies, pursuant to CWA Section 304(l) (see Chapter III). Permits may also be reopened if effluent limits are insufficient to ensure water quality standards compliance.

EPA and ADEQ require permittees to monitor and report the quality of their own effluent. EPA and ADEQ may include ambient monitoring and reporting specifications in each permit as appropriate. The Department evaluates discharge monitoring data to ensure permit compliance. Ambient surface water quality monitoring data is used to confirm whether discharge permit limitations are effectively implementing navigable water quality standards. Under present rule, NPDES compliance schedules are only allowable where there has been either a permit or a 304(l) violation.

No NPDES permit may be issued which is inconsistent with an approved WQM plan (CWA Section 208(e) and 40 CFR 130.12). Any action regarding permitting of new discharges, or permit reissuance/modification involving incorporation of less stringent effluent limits or increased discharge loads, shall be reviewed pursuant to state and federal antidegradation and antibacksliding provisions.

Major discharging wastewater facilities are inspected annually, while other wastewater facilities are inspected at least once during the life of the 5-year permit. Facilities are inspected more frequently, as necessary, to respond to public health issues, complaints, violations, or other program priorities.

Wastewater Plan Approval Program

A.R.S. Title 49, Chapter 2, Article 10 requires the review and approval of construction plans and specifications for wastewater facilities. State rules require plans for wastewater facilities be in conformance with approved WQM plans (A.A.C. R18-9-801 et. seq.) The design plans are required to meet minimum state standards prior to issuance of a certificate for "Approval to Construct." Certain plan review functions are delegated to local governments. The ADEQ monitors the performance of delegated agencies through annual audits.

The ADEQ or the local delegated authority approves plans and specifications for wastewater facilities, prior to construction, to assure that design plans meet state standards. Subdivision plans also are reviewed to ensure that wastewater and waste disposal plans are adequate to support planned development. Interim and final construction inspections are performed to

verify that construction of facilities is in accordance with approved plans and specifications. When a final construction inspection is completed and construction is deemed acceptable for a particular facility, an approval of construction certificate is issued by ADEQ or the delegated authority.

Sludge Management Program

Section 405 of the CWA and 40 CFR Part 124 require EPA to develop programs that monitor sludge use and disposal activities. Currently, ADEQ reviews plans for pending sludge production and disposal activities at public wastewater treatment facilities. Sludge management conditions are written into NPDES permits. ADEQ also issues permits for landfilling of sludge. Discharge of sludge into navigable waters is prohibited per CWA Section 405(a).

ADEQ's Regional Offices maintain an inventory of wastewater treatment plants that they inspect. Large treatment plant inspections, which occur annually, include a review of sludge handling and disposal practices and sludge volume. ADEQ maintains a list of licensed septic tank pumpers, and approves plans of sludge use for off-site land application and sludge composting facilities. Inspections of sludge land application and landfill disposal occur as resources allow.

Aquifer Protection Permits

ADEQ issues State Aquifer Protection Permits (APPs) to discharging facilities. The APP program replaced the Groundwater Quality Protection Permit Program (A.C.C. R9-20-201 et. seq.) pursuant to A.R.S. Title 49, Chapter 2, Article 3 and A.A.C. Title 18, Chapter 9, Article 1.

The EQA has specific requirements for the APP Program. Primarily, discharging facilities are required to apply Best Available Demonstrated Control Technologies (BADCT) and to monitor their facility discharges to ensure that state Aquifer Water Quality Standards are met at a designated "point of compliance". BADCT guidance documents are available at the ADEQ central office.

State Aquifer Protection and NPDES Permit reviews are to be coordinated for most facilities which discharge to both surface water and groundwater. Separate permits for recharge or underground storage and recovery projects are required, but are closely coordinated by ADWR and ADEQ. Some recharge or underground storage and recovery projects are exempt from APP requirements but require permitting by ADWR (A.R.S. §49-250.B and §45-804.B).

Reuse Permit Program

The current State wastewater reuse permit program, initiated in 1985, is designed to regulate facilities which reuse wastewater effluent for such applications as urban lakes, golf course ponds, irrigation and industrial uses (A.A.C. R18-9-701 et. seq.). Wastewater reuse permits include specifications regarding the chemical and biological quality of effluent which is to be reused. Rules are being drafted that would repeal the existing reuse permit program and incorporate those permit requirements into the State's Aquifer Protection Permit Program.

Underground Injection Control (UIC) Program

ADEQ will develop a Underground Injection Control (UIC) program as required by the federal Safe Drinking Water Act. The state program will be developed to complement the State's Aquifer Protection Permit Program and meet federal requirements. Regulated UIC activities include storage of materials or disposal of wastewater using injection wells.

Dry Well Registration

Dry wells refer to wells which are drilled or a hole, whose depth in greater than its width, that is designed and constructed specifically for the disposal of stormwater. All Arizona dry well owners are currently required to register their dry wells with ADEQ, pursuant to A.R.S. §49-331 et. seq. ADEQ will develop and adopt rules for the location, design, construction, operation and maintenance of dry wells.

Underground Storage Tank (UST) Program

The state Underground Storage Tank (UST) Program consists of several separate but interrelated programs established pursuant to A.R.S. Title 49, Chapter 6 and A.A.C. Title 18, Chapter 12.

The UST regulatory program consists of notification requirements, technical standards for new and existing USTs, leak detection and closure criteria, and financial responsibility demonstrations. Once an underground tank release has occurred or is suspected, the site is handled under the Leaking Underground Storage Tank (LUST) program. This program requires specific reporting actions and corrective actions to remediate the contamination.

The LUST Trust is a federal fund given to states to do State-initiated corrective actions in response to petroleum releases from USTs. This money can be used in cases where emergency response is required, and where the owner and operator are unknown, unwilling or unable to undertake appropriate corrective action.

Recently passed state legislation significantly expanded the Arizona UST and LUST programs. This legislation includes an Assurance Fund to assist tank owners in upgrading tanks to meet insurance eligibility standards.

Hazardous and Solid Waste Programs

Proper waste management practices help to ensure clean surface and groundwater resources. The Resource Conservation and Recovery Act (RCRA) authorizes numerous waste management programs. The State of Arizona has primacy over all RCRA programs. Under the Arizona Hazardous Waste Management Act (HWMA) (A.R.S. §49-921 et. seq.), a hazardous waste management program equivalent to and consistent with RCRA is authorized.

Under the Arizona Solid Waste Management Act (A.R.S. §49-701 et. seq.), ADEQ is required to review and approve facility plans before the construction of solid waste management facilities. Solid waste facilities which have the potential to discharge to groundwater must receive an Aquifer Protection Permit in addition to an approval to construct. State waste management rules are found in A.A.C. Title 18, Chapter 8.

NONPOINT SOURCE (NPS) POLLUTION CONTROL PROGRAM

The control of nonpoint sources of pollution is of great importance in Arizona. The prevalence of pollution resulting from nonpoint sources is documented in the Arizona NPS Assessment Report.

The Environmental Quality Act requires NPS pollution control programs through development of rules that are designed to protect ground and surface water quality from pollution due to nonpoint sources. This differs from federal requirements under the CWA, which focusses primarily on surface water impacts. State Aquifer Protection Permits are required for many activities considered to be nonpoint sources under the federal program, such as landfills, mining, agricultural and other activities which may affect aquifers. Section 319 of the CWA, further requires assessment of all nonpoint pollution sources in the state, as well as development of a multi-year management plan to prevent and remediate those sources.

Best Management Practices (BMPs) are required by the EQA and A.A.C. Title 18, Chapter 9, Article 2 for general permits for nitrogen fertilizer application and concentrated animal feeding operations (CAFOs), and may be developed for other facilities or activities, pursuant to A.R.S. §49-246 and 247. Other nonpoint sources of pollution in Arizona that are found to impair surface or ground water uses will be controlled through the application of BMPs or managed in other ways, as specified in the State's NPS Water Quality Management Program Plan.

ADEQ may enter into agreements with other public agencies, including resource management agencies, councils of governments, and local governments, which have been identified to participate as planning or management agencies, for control of specific categories of nonpoint source pollution. BMPs are currently being developed in cooperation with state and federal land and resource management, and other agencies, for grazing, recreation, mining, forestry, road construction and other nonpoint source activities. Local governments may use their own authorities to operate parts of the State NPS program, once they have become designated management agencies, for urban runoff and construction sites.

Dredge and Fill Permitting Program

Dredge and fill permitting, as authorized under Section 404 of the CWA, involves both the U.S. Army Corps of Engineers and ADEQ. Facilities and activities within floodplains, that are not permitted or otherwise regulated by ADEQ or EPA, can cause pollution of surface waters and accelerated erosion. Section 404 permits provide an administrative vehicle to prevent surface water quality degradation. The State's role under Section 401(a) of the CWA is to certify that any proposed dredge and fill permit will not cause or contribute to the violation of state water quality standards.

Pesticide Pollution Prevention

Under the authority of Arizona's Environmental Quality Act (A.R.S. Title 49, Chapter 2, Article 6), and A.A.C. Title 18, Chapter 6, the ADEQ requires information to be submitted, regarding the environmental impacts of pesticides, from the manufacturers and users of those substances. The pesticide program takes a four-pronged approach:

- A data call-in system: whereby pesticide registrants must submit information regarding mobility and persistence of the active ingredients in their products.

- A Groundwater Protection List: identifies pesticides or pesticide breakdown products which could migrate or have migrated down through the soil to groundwater.

- Monitoring and testing requirements: may apply to any of specifically named pesticides on the Groundwater Protection List.

- Cancellation/mitigation: use of specific pesticides may be prohibited, or modified, if they are found in groundwater or soil.

REMEDIAL ACTION PROGRAMS

In Arizona, both federal and state remedial action programs are employed. The federal Superfund program, pursuant to CERCLA, is a major remedial action program operating in Arizona. The state provides oversight and support to federal-lead superfund program activities involving groundwater contamination. ADEQ is the lead agency for some superfund sites. Under the federal Superfund program, if there is a release or substantial threat of a release of a hazardous substance (or of a pollutant or contaminant under certain circumstances) into water, land surface, subsurface strata, or ambient air, EPA has responsibility to assure that all appropriate remedial response actions are taken in a timely matter.

Through the EQA, the Department is able to require development of a program to correct, abate and remedy pollution which is adversely impacted or is endangering waters of the state. The emphasis of this program is to address hazardous substances which have polluted or which may pollute drinking water. The State Water Quality Assurance Revolving Fund (WQARF) is used for the following purposes:

- Source of state matching funds to federal superfund monies.

- Cleanup costs where the responsible party cannot be identified or refuses to comply.

- Costs of monitoring and evaluating the threat to state waters from the release of hazardous substances.

- Costs of conducting site inspections, feasibility studies, health effect studies and risk assessments related to the release of hazardous substances.

- Costs of the water quality monitoring program to monitor surface water, groundwater, and soil pollution.

- Costs incurred for remedial actions taken in response to a release or threat of release of a hazardous substance or pollutant that presents an emergency to the public health or the environment.

- Fund administration.

Federal and state remedial action programs are further discussed in the "State of Arizona Groundwater Protection Strategy", 1989.

DRINKING WATER PROGRAM

The Arizona Department of Environmental Quality is the primary enforcement authority for the safe drinking water program in Arizona. The State Drinking Water Program is administered pursuant to the federal SDWA and state EQA. In order to maintain program delegation, the state's requirements and implementation must be at least as stringent as the federal program.

State regulations list drinking water standards and require monitoring and enforcement for most water treatment and distribution systems in Arizona (A.A.C. R18-4-201 et. seq.). In addition, all operators of water systems must be certified to ensure adequate training has been completed (A.A.C. R18-4-101 et. seq.)

A.R.S. Title 49, Chapter 2, Article 9 requires the review and approval of construction plans and specifications for water systems. The design plans are required to meet minimum State standards. Certificates of "Approval to Construct" are issued to those facilities meeting these standards. Certain plan review functions are delegated to local governments. Interim and final construction inspections are performed to verify that construction of drinking water facilities is in accordance with approved plans and specifications. When a final construction inspection is completed and construction is deemed acceptable for a particular facility, an approval of construction certificate is issued by ADEQ or the delegated county. The ADEQ monitors the performance of delegated agencies through annual audits.

A.R.S. Title 49, Chapter 2, Article 9 also requires the Department to ensure proper control of lead-containing materials in potable drinking water systems, residential, and non-residential plumbing. The lead ban in Arizona is further supported through local building and plumbing codes, as enforced by county health departments and the Arizona Registrar of Contractors, and through state/local public notification efforts.

WQM PROGRAM COMPLIANCE & ENFORCEMENT

Achieving compliance with water quality standards is an integral objective of the State water quality management program. Enforcement is intended as the final remedy for situations of ongoing or intentional violations. A strong state enforcement program acts to deter those who might otherwise ignore pollution control laws. Water pollution enforcement actions may be initiated by various methods of violation discovery. Facility self-monitoring and reporting, as well as ADEQ inspections and ambient surface and groundwater monitoring, are potential sources of referral for enforcement. Other sources of referral are citizen complaints and reports from government agencies. Failure of any facility to comply with State regulations or permit conditions may result in ADEQ taking administrative and/or legal action against the owner of a facility. Priorities in taking enforcement actions are set by considering the threat to public health and to the environment posed by a facility, and the history of violations at the facility. Administrative actions by ADEQ generally begin with the issuance of a Letter of Warning by Department staff, followed by a Cease and Desist Order (C & D) by the Director.

ADEQ may ask the Civil Division of the Arizona Attorney General's Office to seek injunctive relief. ADEQ may also ask that civil penalties be assessed against the owner. The ADEQ Director may issue compliance orders pursuant to A.R.S. §49-261.

Enforcement authority does not lie totally with the State. ADEQ coordinates enforcement with EPA through intergovernmental agreements. The State/EPA Enforcement Agreement regarding the Clean Water Act Compliance Program, 1990, establishes policies, procedures and guidance for NPDES and industrial pretreatment programs, and for the operation and maintenance of federally funded treatment works. Policies and procedures for drinking water program enforcement between the two agencies are outlined in the "Memorandum of Agreement regarding the Safe Drinking Water Act Compliance Program", 1988. Through delegation agreements, local governments may have the authority to inspect water and wastewater treatment systems and to issue compliance orders if appropriate county ordinances are in place. Functions are defined in these agreements to minimize redundancy, maximize the use of people and facilities, and to prevent interference between agencies when pursuing enforcement actions.

The law authorizes provisions for citizen suits for violations of the EQA, and for violations of orders, permits, rules, or standards adopted pursuant to the EQA (A.R.S. §49-264). If the Attorney General is diligently prosecuting a civil action in Superior Court to require compliance, a citizen suit may not be commenced.

STATE REVOLVING FUND/CONSTRUCTION GRANTS PROGRAMS

The 1987 amendments to the Clean Water Act provided for a gradual seven year transition from the Construction Grants program to the State Revolving Fund program beginning in federal fiscal year 1988. In 1989, the State Legislature established the State Revolving Fund (SRF) (A.R.S. Title 49, Chapter 2, Article 11) to replace the federal Construction Grants Program in Arizona.

Arizona received federal funds to capitalize the State Revolving Fund for fiscal years 1989-1992. The Wastewater Management Authority in Arizona (WWMA) administers the SRF program, including receiving federal funds and state matching funds, and providing loans for the planning, design, and construction of wastewater facilities. To date, Arizona has given loans exceeding 50 million dollars and expects to give an additional 50 million dollars by the time the last EPA capitalization grant is received.

BIBLIOGRAPHY

BIBLIOGRAPHY

A Plan to Establish an Ambient Groundwater Quality Monitoring Network in Arizona; ADEQ, June 1991.

Arizona Clean Lakes Classification Study; Northern Arizona Council of Governments, January 12, 1983.

Arizona Drinking Water Compliance Assurance Plan; ADEQ, 1991.

Arizona Nonpoint Source Water Quality Management Program Plan; ADEQ, 1989.

Arizona Priority System for Distribution of Section 201 Construction Grant Funds; ADEQ, April 17, 1987.

Arizona Surface Water Quality Monitoring Strategy; ADEQ, Annual.

Arizona Water Quality Management Plan; ADEQ, 1979.

Construction Grants Needs Survey; EPA, Biennial.

Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations (TREs); EPA, March 1989.

Grazing Best Management Practices Draft Handbook; BMP Advisory Committee; Draft, 1991.

Guidance for State Water Monitoring and Wasteload Allocation Programs; EPA; October 1985.

Guidance for Water Quality-Based Decisions: The TMDL Process; EPA, April, 1991.

Guidance on Implementing the Antidegradation Provisions of 40 CFR 131.12; EPA Region IX, June 3, 1987.

Nonpoint Source Assessment Report; ADEQ, 1989.

NPDES Interim Program Description; ADHS, Bureau of Water Quality Control (draft), October 11, 1978 as revised August 5, 1980.

OWQ Quality Assurance Project Plan; ADEQ, Annual.

Permit Writer's Guide to Water Quality-Based Permitting for Toxic Pollutants; EPA, July 1987.

BIBLIOGRAPHY (cont.)

Second Management Plan; (Pinal, Phoenix, Prescott, Tucson AMAs); ADWR, January, 1991.

State/EPA Enforcement Agreement Regarding the Clean Water Act Compliance Program; July 16, 1990.

State/EPA Memorandum of Agreement Regarding the Safe Drinking Water Act Compliance Program; July 18, 1988.

State of Arizona Draft Groundwater and Soils Sampling Guidelines; ADEQ, January 17, 1988.

State of Arizona Groundwater Protection Strategy; ADEQ, 1989.

State of Arizona Water Quality Assessment Report; ADHS/ADEQ, Annual.

Technical Support Manual: Waterbody Surveys and Assessment for Conducting Use Attainability Analyses; EPA, Office of Water Regulations and Standards, November 1983.

Toxicity Identification Evaluation, Phase I, Toxicity Characterization Procedures; EPA, 1988.

Toxicity Reduction Evaluation Protocol for Municipal Wastewater Treatment Plants; EPA, April 1989.

Water Quality Standards Handbook; EPA, Office of Water Regulations and Standards, December 1983.

APPENDICES

APPENDIX I

GLOSSARY OF ACRONYMS

PCB	Polychlorinated Biphenyl
POTW	Publicly Owned Treatment Works
QAPP	Quality Assurance Project Plan
QA/QC	Quality Assurance/Quality Control
RCRA	Resource Conservation and Recovery Act
SARA	Superfund Amendment and Reauthorization Act
SDWA	Safe Drinking Water Act
SRF	State Revolving Fund
SWMA	Solid Waste Management Act
TMDL	Total Maximum Daily Load
TRE	Toxicity Reduction Evaluation
TSCA	Toxic Substances Control Act
UAA	Use Attainability Analysis
UIC	Underground Injection Control
USFWS	U.S. Fish & Wildlife Service
USGS	U.S. Geological Survey
UST	Underground Storage Tank
WLA	Waste Load Allocation
WWMA	Wastewater Management Authority of Arizona
WQARF	Water Quality Assurance Revolving Fund
WQLS	Water Quality Limited Segments
WQM	Water Quality Management
WQMWG	Water Quality Management Working Group
WY	Water Year

GLOSSARY

AAC	Arizona Administrative Codes
ACC	Arizona Corporation Commission
ADEQ	Arizona Department of Environmental Quality
ADHS	Arizona Department of Health Services
ADWR	Arizona Department of Water Resources
AGFD	Arizona Game and Fish Department
APA	Administrative Procedures Act
ASLD	Arizona State Land Department
APP	Aquifer Protection Permit
ARS	Arizona Revised Statutes
BADCT	Best Available Demonstrated Control Technology
BMP	Best Management Practice
CAFO	Concentrated Animal Feeding Operation
C&D	Cease & Desist Order
CC&N	Certificate of Convenience and Necessity
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
COG	Council of Governments
CPP	Continuing Planning Process
CWA	Clean Water Act
CWS	Clean Water Strategy
DMA	Designated Management Agency
DPA	Designated Planning Agency
EPA	U.S. Environmental Protection Agency
EQA	Environmental Quality Act
FIFRA	Federal Insecticide, Fungicide and Rodenticide Act
FLPMA	Federal Lands Policy Management Act
FSN	Fixed Station Network
GMA	Groundwater Management Act
GRRC	Governor's Regulatory Review Council
GUAC	Groundwater User's Advisory Council
HWMA	Hazardous Waste Management Act
IGA	Intergovenmental Agreement
LA	Load Allocation
LUST	Leaking Underground Storage Tank
MCL	Maximum Contaminant Level
MOU	Memorandum of Understanding
NOD	Notice of Disposal
NPDES	National Pollutant Discharge Elimination System
NPL	National Priority List
NPS	Nonpoint Source
ONRW	Outstanding National Resource Water (40 CFR 131.12)
OWQ	Office of Water Quality

APPENDIX II

REQUIRED CPP CONTENT

REQUIRED CPP CONTENT

The CPP is required pursuant to Section 303(e) of the Federal Clean Water Act. Federal regulations (40 CFR 130.5) require that the CPP contain procedural guidelines for the following state water quality management (WQM) activities:

(1) The process for developing effluent limitations and schedules of compliance at least as stringent as those required by the CWA, Sections 301(b)(1) and (2), 306 and 307, and at least as stringent as any requirements contained in applicable water quality standards in effect under authority of Section 303 of the CWA.

(2) The process for incorporating elements of any applicable areawide waste treatment plans under Section 208, and applicable basin plans under Section 209 of the CWA.

(3) The process for developing total maximum daily loads (TMDLs) and individual water quality based effluent limitations for pollutants, in accordance with Section 303(d) of the Act and 40 CFR 130.7.

(4) The process for updating and maintaining Water Quality Management (WQM) plans, including schedules for revision.

(5) The process for assuring adequate authority for intergovernmental cooperation in the implementation of the State WQM program.

(6) The process for establishing and assuring adequate implementation of new or revised water quality standards, including schedules of compliance, under Section 303(c) of the Act.

(7) The process for assuring adequate controls over the disposition of all residual waste from any water treatment processing.

(8) The process for developing an inventory and ranking, in order of priority of needs, for construction of waste treatment works required to meet the applicable requirements of Section 301 and 302 of the Act.

(9) The process for determining the priority of NPDES permit issuance.

APPENDIX III

WATER QUALITY AGENCIES

WATER QUALITY AGENCIES

Federal Agencies

The federal government manages water quality and water resource development programs. In addition, the federal government owns approximately 31 million acres, or 43% of the land area in the State. There are a number of federal agencies with water quality management responsibilities in Arizona.

U.S. Environmental Protection Agency (EPA)

EPA monitors the state's federal grant-funded programs and tracks the state's progress toward achievement of goals enumerated in federal regulations and legislation. EPA has enforcement power and responsibility for federal WQM programs that Arizona has not assumed. EPA's role is, principally, a regulatory one.

U. S. Department of Agriculture

The U. S. Department of Agriculture (USDA) is the umbrella organization for two federal agencies with significant roles relating to water quality management.

The U. S. Forest Service (USFS) manages 11.5 million acres of multiple use lands in six national forests in Arizona. National forest lands are used for timber, mining, grazing, recreation and wildlife. The Forest Service must walk the tightrope of maintaining these lands for all of these uses simultaneously, some of which have conflicting objectives. Nonetheless, the primary goal of the USFS is to maintain these lands as a public resource. As a land management agency, it is required to comply with state water quality standards and other programs on USFS lands. The USFS is developing plans to fulfill this obligation, and is working with ADEQ to determine Best Management Practices on USFS land.

The Soil Conservation Service (SCS) provides technical and financial assistance to ranchers and farmers toward the management of land and other resources. Goals of the SCS include: 1) improvement of range, pasture and forest land; 2) improvement of water quality, and 3) management of organic wastes. SCS advises on small watershed projects and river basin and floodplain management studies. SCS is providing ADEQ with technical assistance in the formulation of Best Management Practices for regulated agricultural activities.

The U. S. Department of Interior

The Bureau of Indian Affairs is charged with protecting and managing the trust resources of tribes, which includes protection and enhancement of water quality.

The Bureau of Land Management (BLM) is the steward of 12.5 million acres of arid lands in Arizona. BLM, pursuant to the Federal Lands Policy Management Act (FLPMA), manages these lands for multiple use and sustained yield (where applicable). The primary uses of BLM lands are mining, grazing, wildlife, and recreation. BLM will institute best management practices (those methods, measures or practices to prevent or reduce discharges to receiving water; they include structural and nonstructural controls) that will preserve the quality of the lands and prevent water pollution.

The Bureau of Reclamation (BR) manages water development projects, including the Central Arizona Project (CAP), all of the dams on the Colorado River, and several other dams that provide power, water and recreation. The Bureau administers the Lower Colorado Management Program which manages the Colorado River south of Davis Dam near Bullhead City. Objectives of this program include flood, sedimentation and salinity control; water salvage; protection of the environment; preservation and enhancement of fish and wildlife resources; and recreational development. BR is authorized to investigate, design, construct and operate the Colorado River Basin Salinity Control Project.

BR has water quality management functions. Certification of lands for adequacy of irrigation by BR ensures that only those lands suitable for irrigation receive water from BR projects. Lands with good characteristics for agriculture require less water for leaching and fewer additives (e.g., fertilizer), thus minimizing water contaminants and irrigation return flows to surface water. BR monitors water quality of return flows from numerous project lands for total dissolved solids and for toxic constituents.

BR makes use of best management practices on a case-by-case basis. The agency's technical, financial and planning functions indicate that BR may have a potential role as a cooperator in developing and implementing best management practices.

The Fish and Wildlife Service (USFWS) is primarily concerned with the preservation of threatened and endangered species and the impact of federal actions on all species of animals. They also provide technical assistance to federal land and water resource managers and Arizona Game and Fish Department regarding all species of fish and wildlife. Water quality concerns include maintenance of habitat and toxicological studies. In addition, USFWS manages approximately 1.5 million acres of game and wildlife refuges in Cochise, La Paz, Mohave, Pima and Yuma counties.

The Indian Health Service (Department of Health and Human Services) has a statutory mandate to protect and improve the health of Indian people. IHS's Office of Environmental Health assists tribes in designing and constructing water and wastewater treatment facilities.

The National Park Service (NPS) manages 18 national parks, monuments and recreation areas in Arizona. The primary mission of the Park Service is the preservation of these tracts for visitation and enjoyment by the American public. Maintenance of water quality for drinking water and as habitat for wildlife is a significant portion of preserving these areas. The Park Service will institute best management practices that will preserve the quality of the lands and prevent water pollution.

The U.S. Geological Survey (USGS) performs surveys detailing the physiographic, geologic and hydrologic character of the United States. USGS operates the NASQAN network and operates approximately one-third of the State's Fixed Station Network (FSN) surface water monitoring in Arizona. USGS maintains a fixed station sampling program for water quality monitoring, under contract with ADEQ. The USGS conducts other interpretive studies of water quality under contract with ADEQ and others.

Indian Tribes

Amendments to the Safe Drinking Water Act in 1986 and the Clean Water Act in 1987 specifically provided for tribes to be 'treated as states'. To obtain 'treatment as a state' status under both Acts, tribes must demonstrate to EPA that they:

- are federally recognized
- carry out substantial governmental duties and powers
- have jurisdiction over the water resources they propose to manage and regulate
- have administrative capability.

Section 518 of the Clean Water Act states that Tribes can obtain 'treatment as a state' status under Title II and Sections 104, 106, 303, 305, 308, 309, 314, 319, 401, 402, and 404. To date, several tribes in Arizona have received 'treatment as a state' status under various sections of the Clean Water Act:

- Colorado River Indian Tribes
- Fort Mojave Indian Tribe
- Gila River Indian Community
- Hopi Tribe

The Navajo Nation has received 'treatment as a state' status under the Safe Drinking Water Act. Figure 4 on page III-11 shows the location of tribal reservation lands in Arizona.

State Agencies

Arizona Corporation Commission (ACC)
1200 W. Washington
Phoenix, AZ 85007

The Arizona Corporation Commission (ACC) is established by the Arizona Constitution to regulate public service corporations, including private water and wastewater companies within the state for services rendered therein. Consequently, the ACC has some authority independent of the Legislature. The Arizona Corporation Commission (ACC) is composed of three elected Commissioners. (Arizona Constitution Article XV, Section 3; A.R.S. §40-202).

The Commission requires public service corporations to obtain a Certificate of Convenience and Necessity (CC&N) prior to constructing any facilities (A.R.S. §40-281). The Commission may promulgate rules concerning the quality of services provided by the public service corporations. Powers of the ACC also extend to determining the safe operation of facilities. The ACC may require public service corporations to maintain and operate their facilities in a manner that will protect the public health and safety.

Under certain circumstances, the Corporation Commission may require public service corporations to obtain approvals from other agencies, including the Arizona Department of Environmental Quality and the County Department of Health Services, concerning water utility construction and compliance with water quality related regulations (A.A.C. R14-2-407.F, and A.A.C. R14-2-607.E), and the Department of Water Resources for an adequacy statement (A.R.S. §45-108) or a certificate of assured water supply (A.R.S. §45-576).

The Power Plant and Transmission Line Siting Committee is composed of experts from several departments, and is administered by the Arizona Corporation Commission (A.R.S. §40-360). Power plants, which can be large dischargers, must demonstrate to the Siting Committee that they will meet all standards and permit conditions, including water quality control requirements.

Arizona Department of Administration
1700 W. Washington
Phoenix, AZ 85007

The Department of Administration (DOA) appoints administrative law judges to hear appeals of orders of the Arizona Department of Environmental Quality (A.R.S. §49-321.B.). It has established an Appeals Board to hear appeals regarding individual aquifer protection permits and the establishment of numeric values and data gap issues for pesticides (A.R.S. §49-323).

Arizona Department of Agriculture
1688 W. Adams
Phoenix, AZ 85007

On January 1, 1991, the Arizona Department of Agriculture succeeded the authority, powers, duties and responsibilities of the Commission of Agriculture and Horticulture. (State of Arizona 39th Legislature, H.B. 2090, Section 5.)

The Department has the authority to regulate most aspects of agriculture in Arizona, including the sale and use of pesticides (A.R.S. §3-361 to 376). The State agricultural laboratory is a division of the Department, and provides residue analysis of irrigation water. Pesticide monitoring results must be reported to the Department (A.R.S. §49-308.D.) ADEQ consults with the department to establish numeric values regarding pesticides and to determine the toxicological significance of pesticides and their degradation products (A.R.S. §49-303).

Arizona Department of Health Services (ADHS)
1740 W. Adams
Phoenix, AZ 85007

The ADHS Division of Disease Prevention is concerned with communicable disease prevention, including immunization and sanitation, chronic disease epidemiology which includes the cancer and birth defects registries, health promotion and education, and risk assessment and investigation of environmentally provoked diseases. ADEQ has executed an interagency agreement with the Division of Disease Prevention to establish and maintain a core staff to conduct health risk assessment studies and health effect studies, develop water quality standards, review and evaluate the health ramifications of aquifer boundary change petitions, provide emergency health risk assessments for hazardous substance spills and determine evidence of human population exposures that could result in adverse health effects.

The ADHS State Laboratory licenses other laboratories in Arizona, provides training for laboratory personnel from other labs, and analyzes environmental samples. ADEQ has executed an interagency agreement with the State Laboratory to conduct laboratory analyses for water quality samples taken by ADEQ.

Arizona Department of Water Resources
15 South 15th Ave.
Phoenix, AZ 85004

The Arizona Groundwater Management Act (GMA) of 1980 (A.R.S. §45-101 et. seq.) created the Arizona Department of Water Resources (ADWR). Although the emphasis of the GMA is on the management of the quantity of groundwater available in critical areas, the Director of ADWR may consider water quality issues in the Department's plans and programs.

ADWR is charged with collecting, managing and disseminating data concerning groundwater and surface water quantity and quality (A.R.S. §45-105). ADWR is authorized to conduct studies of groundwater contamination and to develop plans to correct groundwater contamination. ADWR is authorized to develop programs, rules and legislation to protect water quality. ADWR comprehensively regulates the location and construction of water wells. This authority includes the adoption of well construction standards (A.R.S. §45-594). ADWR considers water quality in developing these standards (A.R.S. §45-603) and when permitting recharge and underground storage and recovery projects (H.B. 2392 and 2612).

The GMA established four initial Active Management Areas (AMAs) in geographic areas where groundwater supplies were imperiled. In these areas, groundwater use is subject to increasingly intense regulations.

Irrigation nonexpansion areas (INAs) were created in several areas of the state where the establishment of an AMA was considered unnecessary, but where groundwater supplies were insufficient to meet irrigation needs. The GMA established the framework for groundwater rights in all areas of the state.

The GMA created five 10-year management periods from 1980 through 2030. A management plan is required for each AMA for each of the five management periods. A management plan for the Second Management Period (1990-2000) is in the final stages of development for each AMA. The Second Management Plan is a significant step toward achieving the AMA's goal of "safe yield" which will be attained when groundwater withdrawal rates are equal to or less than groundwater recharge rates on an annual basis. Each plan must include a program to augment the AMA's water supply and provide a water quality program. Regulatory conservation requirements, financial incentives to encourage augmentation, and technical and educational support from ADWR are combined in each Second Management Plan in an effort to achieve a substantial reduction in groundwater overdraft by the year 2000. Since reasonable conservation requirements vary among different sectors, separate requirements are established for the agricultural, municipal, and industrial sectors. The goal of the groundwater quality management program, developed in the Second Management Plan, is to manage the quality of Arizona's groundwater in order to maximize the quantity of groundwater available for beneficial use.

The separate yet overlapping administration of groundwater quality and quantity programs by ADEQ and ADWR requires close coordination in identifying roles, responsibilities, and coordination strategies. ADWR and ADEQ have entered into an interagency agreement which details how the two agencies interact on water quality activities and remedial actions. The agencies will interface and coordinate complimentary programs, the collection, management and dissemination of data, and water quality/quantity planning efforts.

Arizona Game and Fish Department
2222 W. Greenway Road
Phoenix, AZ 85023-4399

The statutes creating the Arizona Game and Fish Department (AGFD) provide procedural directions for the management and creation of a Game and Fish Commission, define the powers and duties of the Commission, and authorize various funds to finance the Commission's activities.

The Commission is required by statute, among other duties, to confer with the Director of Water Resources (ADWR) on all Commission activities, plans, or negotiations relating to: (1) water development and use, (2) restoration projects which affect water development and use, and (3) pollution abatement. The Commission is given jurisdiction over all fish and wildlife aspects of projects constructed under the jurisdiction of the Department of Water Resources (A.R.S. §17-237). The Commission is authorized to enforce water quality laws for the protection of wildlife (A.R.S. §17-231.A.4). The Arizona Game and Fish Department is a valuable player in the cooperative effort to monitor toxics in Arizona's surface water systems, and works closely with ADEQ staff toward implementation of state water quality standards.

Arizona State Land Department (ASLD)
1616 W. Adams
Phoenix, AZ 85007

The State Land Commissioner is the Director of the State Land Department and is appointed by the Governor. The State Land Department (ASLD) manages and administers all state lands, except those under the specific use and control of state institutions (A.R.S. §37-102.B.).

The State Land Department must cooperate with appropriate agencies concerning water quality matters relating to the development of state lands. ASLD has no direct authority to regulate the quality of water on state land, but ASLD and its lessees are directly impacted by the rules and regulations promulgated by ADEQ and other regulatory agencies. The ASLD is mandated to protect the value of lands for the benefit of the State Trust and to encourage the management of state lands so that values are not degraded.

The State Land Department has responsibility for maintaining a geographic information system for public agencies in Arizona and to establish a clearinghouse for data and a central repository for maps, imagery products, and cartographic data (A.R.S. §37-173). The Arizona Geographic Information Council (AGIC), was established by Executive Order 89-24 (amended under EO #92-17) to coordinate the management of statewide geographic information. The AGIC serves as an advisory council to the ASLD to provide guidance and direction in the management of the state's GIS system and geographic data in Arizona. AGIC also ensures that public decision-makers, as well as private individuals, have access to geographic information that is complete, timely, accurate, and reliable. The State Land Department provides current land resource information in the form of maps and inventories and monitors changes over time. The State Land Department, through an interagency agreement, is providing ADEQ with hydrological and pollutant source maps.

Local Governments, Special Districts & Authorities

Cities, towns, counties, and special districts have an important role in planning for and implementing water quality management programs in Arizona, at both the local and statewide level. Federal environmental statutes recognize the regional nature of numerous water quality problems and solutions, and thus provide for areawide planning and responsiveness to local concerns (CWA Section 208). Included within the jurisdiction of local agencies are management of publicly-owned waste treatment works, planning for waste treatment needs, landfills, and urban stormwater runoff.

Councils of Governments (COGs)

The Councils of Governments (COGs) are nonprofit corporations composed of representatives of city and county governments within the boundaries of particular "development" districts established under the Economic Development Act (EDA) of 1965. The EDA divided the state into six planning areas and directed that all regional or areawide planning functions conform to those prescribed planning areas. In Arizona, the Councils of Governments (COGs) were

established by Executive Order 70-2. Section 208 of the CWA required the Governor of a State to designate areas of the state with water quality control problems and identify agencies capable of developing effective areawide wastewater treatment management plans for those areas. Pursuant to that requirement, in the mid-1970's, the COGs were designated the areawide planning agencies (DPAs) for the purposes of water quality planning.

The COGs and ADEQ have a unique and very valuable relationship in WQM planning, starting with the WQM planning partnership role established by CWA Section 208 (see Appendix V). The COGs provide a vehicle through which local governments may participate in the WQM planning process. They provide technical assistance to local entities in the preparation, amendment and update of Areawide WQM Plans, including promoting and ensuring adequate public participation in plan development and adequacy of plan amendments.

The COGs assist the local/state agency information exchange, public participation processes, and help elevate local needs and priorities to ADEQ's attention for consideration in its statewide WQM program efforts. All major regional policy decisions are reviewed and approved by the COG decision-making bodies, or regional boards, which are comprised of local elected officials. The boundaries of the six COGs and the counties served are shown in Figure 3 on page III-10.

County Health Departments/Departments of Environmental Quality

County health and environmental departments have specific WQM responsibilities, through specific legislation and/or delegation agreements with ADEQ, authorized under A.R.S. §11-952.

Salt River Project

The Salt River Project (SRP) operates under the auspices of the Bureau of Reclamation and is actually two companies - a large electric utility company and a water user's association which provides irrigation water. In order to protect its water resources from contamination and to deliver adequate quality water for irrigation, SRP conducts numerous water quality management activities. These include monitoring the quality of ground and surface waters in the Salt and Verde River watersheds, the SRP service area, and in the SRP canals.

Sanitary Districts

Sanitary districts are units of local government that assist in the water quality management process by providing a mechanism to implement sewage treatment measures where public systems are not available (A.R.S. §48-2011). Sanitary Districts are capable of becoming Designated Management Agencies (DMA) for implementation of Section 208 of the Clean Water Act and water quality management plans.

Wastewater Management Authority of Arizona (WWMA)

The Wastewater Management Authority of Arizona is a statutory, seven-member board. The WWMA was created as the authority over operation of the State Revolving Fund (SRF) which provides financing for construction of public-owned wastewater treatment facilities and for nonpoint source projects. The Board consists of the director or representative from the Arizona Department of Environmental Quality, the director or representative from the Arizona Department of Health Services, the State Treasurer or Treasurer's representative, one member representing municipalities having populations of fifty thousand persons or more, one member representing municipalities having populations less than fifty thousand in a county of less than five hundred thousand persons, one member representing counties of five hundred thousand persons or more, and one member representing sanitary districts in counties of less than five hundred thousand persons.

COUNCILS OF GOVERNMENTS	COUNTIES
Central Arizona Association of Governments (CAAG)	Gila and Pinal
Maricopa Association of Governments (MAG)	Maricopa
Northern Arizona Council of Governments (NACOG)	Apache, Coconino, Navajo and Yavapai
Pima Association of Governments (PAG)	Pima
SouthEastern Arizona Governments Organization (SEAGO)	Cochise, Graham, Greenlee and Santa Cruz
Western Arizona Council of Governments (WACOG)	La Paz, Mohave and Yuma

FIGURE 3
MAP OF ARIZONA
SHOWING COUNCILS OF GOVERNMENT PLANNING AREAS

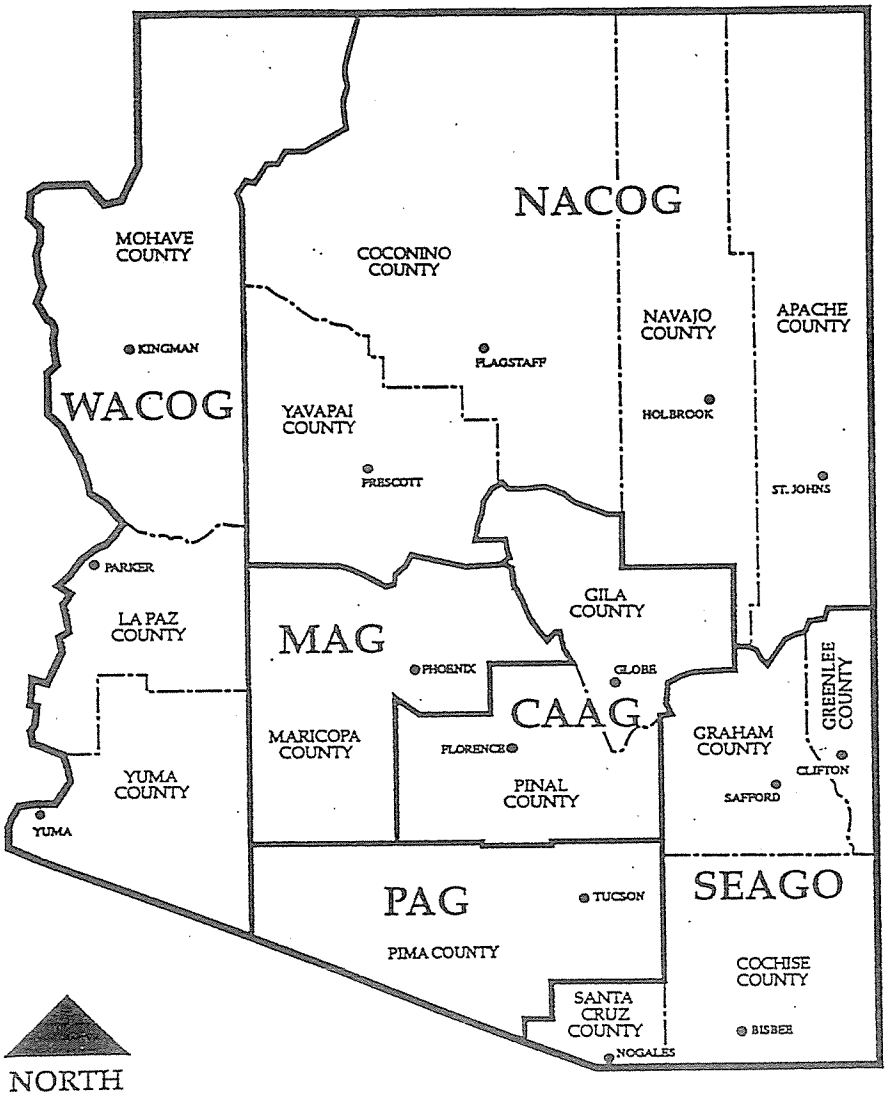
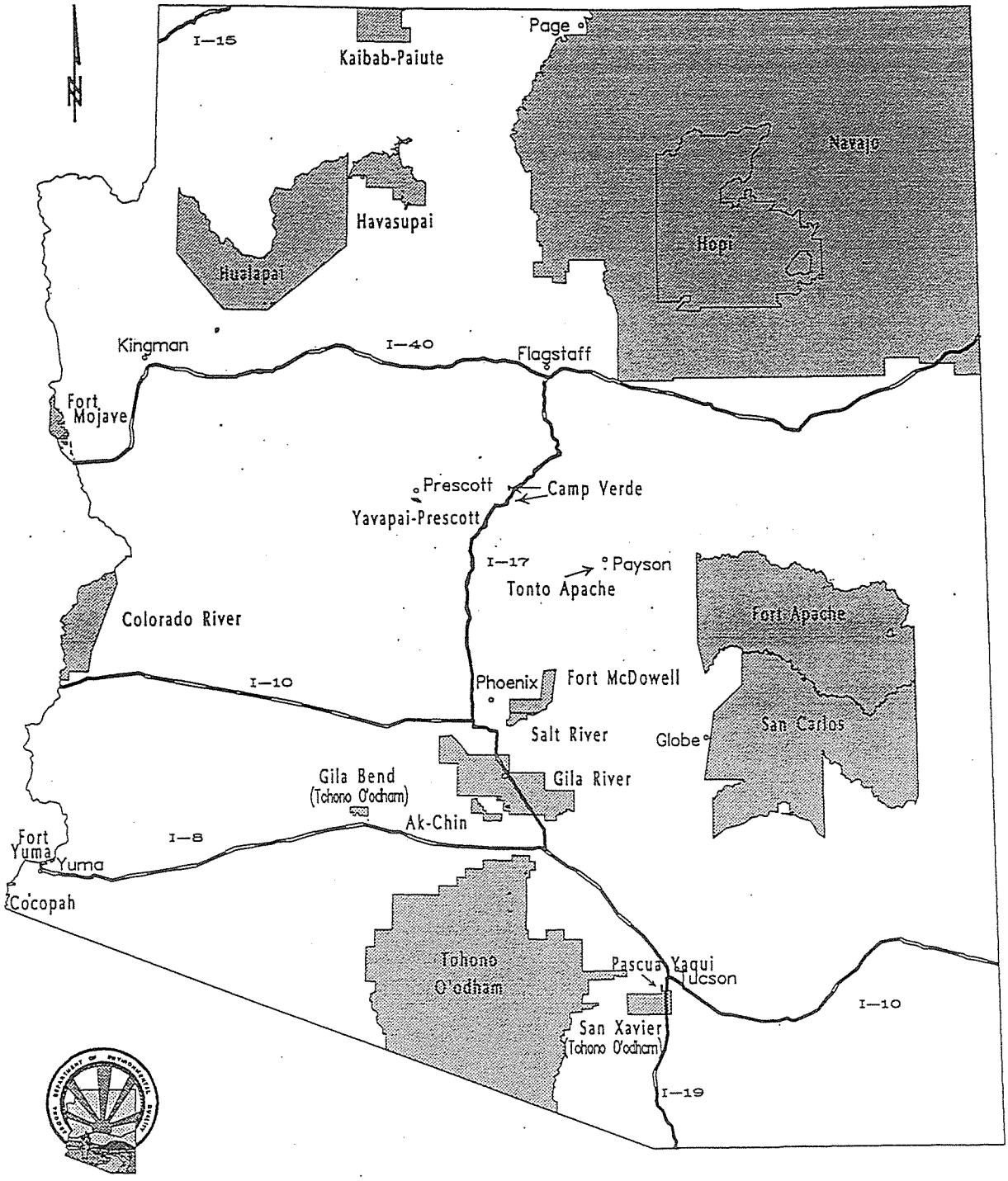


FIGURE 4
TRIBAL LANDS IN ARIZONA



APPENDIX IV

ADVISORY GROUPS

ADVISORY GROUPS

Agricultural Best Management Practices (Ag BMP) Advisory Committees:

The Directors of ADEQ and ADWR, the Dean of Agriculture of the University of Arizona, the Chairman of the Arizona Department of Agriculture, or their designees serve on both Agricultural BMP committees. Seven members from the agricultural community are appointed to each committee by the Governor, pursuant to A.R.S. §49-248.B.

Nitrogen Fertilizer BMP Advisory Committee

This committee was established, pursuant to A.R.S. §49-248, to develop and recommend best management practices for the application of nitrogen fertilizer in Arizona.

Concentrated Animal Feeding Operations BMP Advisory Committee

This committee was established, pursuant to A.R.S. §49-248, to develop and recommend best management practices for concentrated animal feeding operations (CAFOs) in Arizona.

Grazing Operations BMP Advisory Committee

This Director-established committee consists of members representing a cross-section of interests. Members include representatives of the Arizona Cattle Growers, public land management agencies, and the University of Arizona. The committee will develop and recommend best management practices for grazing operations in Arizona.

Operator Certification Committee

The Operator Certification Committee was established, pursuant to A.A.C. R18-4-103. It consists of nine members, appointed by the ADEQ Director, for the purpose of making recommendations and providing technical assistance to ADEQ regarding the water and wastewater facility operator certification program.

Watercourse Alteration BMP Technical Advisory Committee

This Director-established committee consists of representatives of a cross-section of interests and is charged with the development of BMPs for extractive industries, construction activities and other watercourse-altering activities. The committee will develop and recommend best management practices for watercourse alteration in Arizona.

Water Quality Advisory Council (WQAC)

The WQAC may advise and make recommendations to the Director of the Department regarding aquifer classification, water quality standards, and technology-based discharge limitations (A.R.S. §49-204). The seven members of the WQAC are appointed by the Governor and consist of one representative each for mining, industry, agriculture, municipal government, public health, the general public, and the Director of ADWR or his designee.

Water Quality Management Working Group (WQMWG)

The Water Quality Management Working Group is a voluntary advisory body that meets quarterly, or as necessary, to consider and make recommendations to ADEQ regarding matters of statewide WQM policy and program implementation. The WQMWG is instrumental in the review and revision of state WQM programs, as it assists the Department in developing an integrated WQM program, from both a regional and statewide perspective.

Voting members include representatives from the six Councils of Governments (COGs), Arizona's Game and Fish Department, State Land Department, Department of Commerce and Department of Water Resources.

Water Systems Coordinating Council (WSCC)

The WSCC serves to assist owners and operators of water systems by providing them with information to gain state approvals, meet compliance requirements, and evaluate and recommend to statutory and regulatory agencies, appropriate measures to employ with regard to drinking water systems (A.R.S. §49-356). The WSCC must have representatives from several state and county government entities, a member to represent a town with less than ten thousand persons, and a member to represent investor-owned water systems.

Other Advisory Groups

The Director may assign specific advisory committees to assist the Department in developing best management practices for other discharges regulated under general permits (A.R.S. §49-246). In addition, ADEQ may form advisory committees to provide technical input regarding other program development efforts, as necessary.

APPENDIX V

HISTORIC OVERVIEW OF WQM PLANNING IN ARIZONA

HISTORIC OVERVIEW OF WQM PLANNING IN ARIZONA

Areawide Basin and 208 Planning

Basin planning was initially authorized and required under Section 303(e) of the Clean Water Act (CWA). Basin plans were designed to describe ambient conditions of different bodies of water within each major watershed in the state, to designate uses for those waters, and to determine what adverse ambient conditions or point source discharges conflicted with the designated uses. By 1977, final basin plans were published for most of Arizona (see Appendix VI). The original basin plans contain important baseline information for WQM planning.

The scope of planning and management activities under Section 208 of the CWA, entitled "Areawide Waste Treatment Planning", addresses both point and nonpoint sources of ground and surface water pollution. In the mid-1970's, the six Councils of Governments (COGs) were officially designated as areawide waste treatment planning agencies (DPAs), authorizing them to prepare the Areawide WQM Plans required by Section 208 of the CWA.

Governor Castro designated his office as the responsible state WQM planning agency, with the Governor's Office of Economic Planning and Development (OEPAD) performing coordination functions, and the Bureau of Water Quality Control of the Arizona Department of Health Services (ADHS) providing technical expertise. As the designated agencies for areawide waste treatment planning, the COGs originally received direct grants from EPA to carry out planning activities. Later, the cost of regional participation in the planning process was federally funded through state contracts with the COGs. In the original 208 Plans, point sources of pollution were generally defined as any formalized wastewater management facility (municipal, commercial or industrial) discharge to surface waters. The original COG Plans also analyzed the nonpoint source and groundwater quality problems in their area. In 1979, these six COG areawide water quality management plans were approved by the Governor and EPA, as was "The Arizona Water Quality Management Plan", dated May 30, 1979.

Prior to 1991, the Areawide 208 Plans were updated mainly to provide current information for wastewater facility planning and siting, although some incorporated findings from specific groundwater quality studies. The State and COG WQM Plans have served as policy guides for wastewater plant construction grants/loans, issuance of NPDES permits, approval of sewerage system construction, and other water quality protection actions. A.A.C. R18-9-804(I) and (J) require wastewater treatment systems to be in conformance with the relevant areawide WQM plan. Responsibility for WQM plan review was transferred from the Department of Health Services and the Water Quality Control Council (WQCC), to the Arizona Department of Environmental Quality on July 1, 1987.

Tribal WQM Plans

A number of tribes in Arizona undertook 208 Plan development activities, including:

- Gila River Indian Community
- Tohono O'odham Nation (formerly "Papago Tribe")
- White Mountain Apache Tribe

A draft plan was developed by the Indian Development District of Arizona for the following tribes:

Fort McDowell Indian Community
Fort Mojave Indian Tribe
Quechan Fort Yuma Tribe
Havasupai Tribe
Hualapai Tribe
Kaibab-Paiute Indian Tribe
Tonto Apache Tribe
Yavapai-Prescott Tribe

APPENDIX VI

LIST OF BASIN PLANS

ARIZONA BASIN PLANS

- A Wastewater Facilities Plan for the Verde River Basin, Arizona. January 1975; Ferguson, Morrison and Associates.

- Water Quality Management Basin Plan, Little Colorado River Basin, Arizona. July 1976; Arizona Department of Health Services.

- Water Quality Management Basin Plan, Colorado Main Stem River Basin, Arizona. October 1977; Arizona Department of Health Services.

- Water Quality Management Basin Plan, Salt River Basin, Arizona. January 1977; Arizona Department of Health Services.

- Upper Gila and San Pedro River Basin, Water Quality Management Plan, Arizona. July 1977; Arizona Department of Health Services.

APPENDIX VII

LIST OF AREAWIDE AND OTHER WQM PLANS AND UPDATES

Central Arizona Association of Governments (CAAG)
WQM Plans and Plan Amendments

DATE	NAME OF DOCUMENT
Oct. 1978	CAAG 208 Areawide Water Quality Management Plan for Region V: Gila and Pinal Counties
Oct. 1979	CAAG Areawide Water Quality Management Plan Interim Report
Oct. 1980	CAAG Areawide Water Quality Management Plan Interim Report
Jan. 1983	CAAG Water Quality Management Plan Amendment Purpose: Town of Hayden population figure changes
March 1983	CAAG Water Quality Management Plan Amendment Purpose: Designate Pinal Sanitary District as DMA
1983	METF-10: National Prototype Copper Mining Management Plan
July 1985	CAAG 208 Plan Amendment for the City of Globe
June 1985	CAAG 208 Plan Amendment for the Cobre Valley Sanitary District
Jan. 1990	CAAG 208 Plan Amendment for Apache Junction Purpose: Designating Apache Junction as DMA

Maricopa Association of Governments (MAG)
WQM Plans and Plan Amendments

DATE	NAME OF DOCUMENT
June 1979	MAG 208 Water Quality Management Program: Point Source Management Plan - Final
June 1979	MAG 208 Program: Nonpoint Sources of Groundwater Pollution - Final
July 1979	MAG 208 Water Quality Management Program - Final Plan
July 1982	MAG 208 Water Quality Management Program Point Source Plan Update - Final
April 1984	MAG 208 Water Quality Management Program Amendment for the 91st and 23rd Avenue Wastewater Treatment Plants
Nov. 1984	MAG 208 Water Quality Management Plan Amendment for City of El Mirage Wastewater Treatment System
Nov. 1986	MAG 208 Water Quality Management Program Amendment for City of Tempe Wastewater Reclamation Facilities
May 1987	MAG 208 Water Quality Management Plan Amendment for the Town of Surprise
June 1987	MAG 208 Water Quality Management Program Point Source Plan Update for the Town of Buckeye Wastewater Treatment Plant
June 1987	MAG 208 Water Quality Management Plan Amendment for the City of Avondale
Dec. 1988	MAG 208 Water Quality Management Plan Amendment for City of Phoenix Tatum Ranch Water Reclamation Plant
April 1989	MAG 208 Water Quality Management Plan Amendment for the Thunderbird Paseo Wastewater Reclamation Facility

Northern Arizona Council of Governments (NACOG)
WQM Plans and Plan Amendments

DATE	NAME OF DOCUMENT
Jan. 1979	NACOG Water Quality Management Plan for Region III: Apache, Coconino, Navajo and Yavapai Counties
March 1981	NACOG Water Quality Management Plan Amendment
Jan. 1982	Verde River Water Quality Management Plan
Aug. 1982	NACOG Water Quality Management Plan Amendment Purpose: Designating Sedona Sanitary District as DMA
July 1982	NACOG 208 Water Quality Management Plan Amendment Purpose: Designating Springerville as DMA
April 1984	Oak Creek Water Quality Management Plan
Oct. 1985	NACOG Water Quality Management Plan Amendment Purpose: Designating Little Colorado Sanitary District as DMA
Oct. 1986	Watson Lake Water Quality Management Plan
Aug. 1988	NACOG Water Quality Management Plan Update Purpose: Designating City of Sedona as DMA
1988	NACOG Water Quality Management Plan Update Purpose: Designating Town of Prescott Valley as DMA
1990	Prescott Valley Water Quality Management Plan
Oct. 1991	City of Flagstaff Water Quality Management Plan

Pima Association of Governments (PAG)
WQM Plans and Plan Amendments

DATE	NAME OF DOCUMENT
June 1978	PAG Areawide Wastewater Management Plan
March 1981	PAG Areawide Wastewater Management Plan 1980 Amendment
July 1981	El Conquistador Wastewater Reclamation Facility and Service Area
Sept. 1981	Point Source Element: Mt. Lemmon
March 1982	PAG Area Wastewater Management Plan Amendment: A1 & A2: (Peppertree Ranch, La Puerta Del Norte, Marana, Rillito Vista and Upper Canyon Del Oro)
March 1982	PAG Area Wastewater Management Plan Amendment: Upper Canyon del Oro
April 1983	Cortaro Area Pollution Source Assessment: Cortaro Area Study Recommendations
Sept. 1983	Groundwater Monitoring in the Tucson Copper Mining District: Report and Detailed Recommendations
July 1983	Assessment of Nitrate in Groundwater of the Upper Santa Cruz Basin
July 1983	Region Wide Groundwater Quality in the Upper Santa Cruz Basin Mines Task Force Area
Feb. 1984	Sludge Management and Disposal Program for the Roger Road Wastewater Treatment Facility
Jan. 1984	Foothills Utility Wastewater Reclamation Facility to serve the Broadmoor Golf Course and Country Club at Oro Valley
May 1984	Proposed 208 Point Source Element Amendment for MSP Companies Wastewater Treatment Facility
Oct. 1985	Areawide Wastewater Management Plan Point Source Update for the Tucson Metropolitan Basin
Sept. 1985	Catalina 208 Consistency Report
Dec. 1984	Green Valley - Cortaro Area Groundwater Quality Management Plans

NAME	NAME OF DOCUMENT
Dec. 1986	Continental Ranch 208 Consistency Report: Continental Ranch Pump Station
Feb. 1987	Catalina Basin 208 Plan Amendment Purpose: To expand the Ina Road Pollution Control Facility service area
Aug. 1987	208 Plan Amendment for Canada Hills Development Co.
May 1988	Marana Study Area 208 Consistency Report
July 1988	Metropolitan Tucson Basin Water Quality and Pollution Source Assessment Vol. I: Text Vol. II: Appendices Vol. III: Plates

Southeastern Arizona Governments' Organization (SEAGO)
WQM Plans and Plan Amendments

DATE	NAME OF DOCUMENT
Dec. 1978	SEAGO Water Quality Management Plan for Cochise, Graham, Greenlee & Santa Cruz Counties
Oct. 1980	SEAGO 208 Water Quality Management Plan Update
June 1982	Upper Santa Cruz Groundwater Nitrates Conditions
Oct. 1986	St. David's Nitrate Study

Western Arizona Council of Governments (WACOG)
WQM Plans and Plan Amendments

DATE	NAME OF DOCUMENT
Dec. 1978	Areawide Water Quality Management Plan for District IV: Mohave & Yuma Counties
Jan. 1981	District IV Areawide Water Quality Management Plan 1980 Update Purpose: Recommendations of further action regarding the impact of Engineering Bulletin #12 and on-site disposal on 1979 plan
Jan. 1982	District IV Areawide Water Quality Management Plan 1981 Update Purpose: Expanding boundaries of the Colorado River Sewage System Joint Venture
Jan. 1983	District IV Areawide Water Quality Management Plan 1982 Update Purpose: 1)Designating Town of San Luis as DMA 2)Designating Bullhead Sanitary District as DMA
Jan. 1984	District IV Areawide Water Quality Management Plan 1983 Update Purpose: Noting creation of La Paz County
Sept. 1985	WACOG Water Quality Management Plan Amendment Purpose: Changing DMA from Bullhead Sanitary District to Bullhead City
Aug. 1986	Amendment to the WACOG 208 Water Quality Management Plan for the Buckskin Sanitary District
Oct. 1986	Bullhead City Wastewater Master Plan Amendment with May 1987 Revisions
Oct. 1988	WACOG Water Quality Management Plan Amendment Purpose: Changing DMA from Colorado River Sewage System Joint Venture to Buckskin Sanitary District
Nov. 1988	City of Kingman Water Quality Management Plan Amendment Purpose: Expanding boundaries of City of Kingman DMA
Aug. 1988	Bullhead City Wastewater Management Plan 1988 Amendments
March 1990	Bullhead City Water Management Plan for the Northern Planning Area

DATE	NAME OF DOCUMENT
July 1990	Bullhead City Wastewater Management Plan Interim Facilities
Nov. 1990	Bullhead City Water Management Plan for the Southern Planning Area
1990	Bullhead City Master Wastewater Disposal Plan Amendment
April 1990	Fort Mohave Indian Tribe Water Quality Management Plan Purpose: Designating the Ft. Mohave Tribal Utilities Authority as DMA

Indian Tribes
WQM Plans and Plan Amendments

DATE	NAME OF DOCUMENT
Dec. 1978	Papago 208 Project Water Quality Report and Management Plan: Final
Sept. 1982	208 Water Quality Management Plan for the Gila River Indian Community
1984	208 Project Water Quality Management Program Draft Plan Camp Verde, Cocopah, Fort McDowell, Fort Mojave, Fort Yuma, Havasupai, Hualapai, Kaibab-Paiute, Tonto Apache, Yavapai-Prescott
Aug 1984	Wastewater Collection and Treatment Report: San Xavier Community

APPENDIX VIII

WQM PLAN AMENDMENT CONTENT REQUIREMENTS

INSTRUCTIONS:

208 AMENDMENTS CHECKLIST

I. PURPOSE

This checklist is designed to provide a brief description of all 208 Plan Amendment requirements that must be addressed to obtain Arizona Department of Environmental Quality and EPA certifications.

II. REQUIREMENTS

All 208 Plan Amendments must be submitted with a completed Checklist, which may be filled out by the applicant, the consultant, or the Designated Management Agency (DMA). The DMA is responsible for approving the Checklist prior to submittal to ADEQ. ADEQ will return amendments submitted with incomplete and/or inadequate checklists to the DMA for correction and resubmission.

The following instructions illustrate the proper format for completing the 208 Amendments Checklist. This form consists of three categories:

Category 1: 208 Plan Amendment Requirement

Category 2: Summary on **how** requirement is addressed in the Amendment

Category 3: Page number in 208 Plan Amendment **where** requirement is addressed

Requirements within the checklist are divided into seven parts:

(1) Authority

(2) 20-Year Needs

(3) Regulations

(4) Construction

(5) Financing and Other Measures Necessary to Carry out the Plan

(6) Implementability

(7) Public Participation

Within these seven requirements, please provide a brief description/summary on **how each element is addressed**, i.e., what impacts within the requirement; for what area/facility, etc. The page number(s) where the requirements are addressed in the 208 Plan Amendment must be given. This includes figures and graphs. Not all requirements are applicable to each Plan Amendment. If this is the case, please state "N/A."

III. EXAMPLES

Example 1 - 20-Year Needs; Existing Facilities:

Requirement: Clearly describe all the existing wastewater (WWT) treatment facilities:

Summary: Wildcat Hill WWTP: 6 mdg package plant with some effluent reuse (golf course irrigation). Balance is discharged to Rio de Flag. No other treatment facilities in the service area.

Addressed on Page: Pages 1 and 2; Figure 2

Example 2 - 20-Year Needs; Open Areas & Recreation Opportunities:

Requirement: Describe how open and recreational opportunities will result from improved water quality and how those will be used:

Summary: Reclaimed water will be available for developing golf courses and community parks. Potential riparian areas along Rio de Flag/Urban Trail System discussed.

Addressed on Page: Availability: Page 6; Riparian Areas: Pages 31 and 32

Example 3 - Regulations; Permits:

Requirement: Describe type of permits needed, including NPDES, APP and Reuse:

208 Amendment Checklist (con't)

Summary: NPDES permit required for discharge to Rio de Flag; APP includes hydrogeologic study and demonstration of BADCT; Reuse permit required for irrigation to turf areas open to public access. Meetings with ADEQ permit staff on progress.

Addressed on Page: Page 11

Prepared by the AZ Department of Environmental Quality

208 AMENDMENT CHECKLIST

Section 208 Clean Water Act

40 CFR Part 130.6

REQUIREMENT	PROVIDE BRIEF SUMMARY ON HOW REQUIREMENTS ARE ADDRESSED	ADDRESSED ON PAGE:
AUTHORITY Proposed Designated Management Agency (DMA) shall self-certify that it has the authorities required by Section 208(c)(2) of the Clean Water Act to implement the plan for its proposed planning and service areas. Self-certification shall be in the form of a legal opinion by the DMA or entity attorney.		
20-YEAR NEEDS Clearly describe the existing wastewater (WWT) treatment facilities: - Describe existing WWT facilites.		
- Show WWT certified and service areas for private utilities and sanitary district boundaries if appropriate.		
Clearly describe alternatives and the recommended WWT plan: - Provide POPTAC population estimates (or COG-approved estimates only where POPTAC not available) over 20-year period.		
- Provide wastewater flow estimates over the 20-year planning period.		
- Illustrate the WWT planning and service areas.		

REQUIREMENT	PROVIDE BRIEF SUMMARY ON HOW REQUIREMENTS ARE ADDRESSED	ADDRESSED ON PAGE:
- Describe the type and capacity of the recommended WWT Plant.		
- Identify water quality problems, consider alternative control measures, and recommend solution for implementation.		
- If private WWT utilities with certificated areas are within the proposed regional service area; define who (municipal or private utility) serves what area and when. Identify whose sewer lines can be approved in what areas and when?		
- Describe method of effluent disposal and reuse sites (if appropriate).		
- If Sanitary Districts are within a proposed planning or service area, describe who serves the Sanitary Districts and when.		
- Describe ownership of land proposed for plant sites and reuse areas.		
- Address time frames in the development of the treatment works.		

REQUIREMENT	PROVIDE BRIEF SUMMARY ON HOW REQUIREMENTS ARE ADDRESSED	ADDRESSED ON PAGE:
- Address financial constraints in the development of the treatment works.		
- Describe how discharges will comply with EPA municipal and industrial stormwater discharge regulations (Section 405, CWA).		
- Describe how open areas & recreational opportunities will result from improved water quality and how those will be used.		
- Describe potential use of lands associated with treatment works and increased access to water-based recreation, if applicable.		
REGULATIONS - Describe types of permits needed, including NPDES, APP and reuse.		
- Describe restrictions on NPDES permits, if needed, for discharge and sludge disposal.		
- Provide documentation of communication with ADEQ Permitting Section 30 to 60 days prior to public hearing regarding the need for specific permits.		

REQUIREMENT	PROVIDE BRIEF SUMMARY ON HOW REQUIREMENTS ARE ADDRESSED	ADDRESSED ON PAGE:
c. Describe pretreatment requirements and method of adherence to requirements (Section 208 (b)(2)(D), CWA).		
- Identify, if appropriate, specific pollutants that will be produced from excavations and procedures that will protect ground and surface water quality (Section 208(b)(2)(K) and Section 304, CWA).		
- Describe alternatives and recommendation in the disposition of sludge generated. (Section 405 CWA)		
- Define any nonpoint issues related to the proposed facility and outline procedures to control them.		
- Describe process to handle all mining runoff, orphan sites and underground pollutants, if applicable.		
- If mining related, define where collection of pollutants has occurred, and what procedures are going to be initiated to contain contaminated areas.		
- If mining related, define what specialized procedures will be initiated for orphan sites, if applicable.		

REQUIREMENT	PROVIDE BRIEF SUMMARY ON HOW REQUIREMENTS ARE ADDRESSED	ADDRESSED ON PAGE:
CONSTRUCTION Define construction priorities and time schedules for initiation and completion.		
Identify agenices who will construct, operate and maintain the facilities and otherwise carry out the plan.		
Identify construction activity-related sources of pollution and set forth procedures and methods to control, to the extent feasible, such sources.		
FINANCING AND OTHER MEASURES NECESSARY TO CARRY OUT THE PLAN - If plan proposes to take over certificated private utility, describe how, when and financing will be managed.		
- Describe any significant measure necessary to carry out the plan, e.g., institutional, financial, economic, etc.		
- Describe proposed method(s) of community financing.		

REQUIREMENT	PROVIDE BRIEF SUMMARY ON HOW REQUIREMENTS ARE ADDRESSED	ADDRESSED ON PAGE:
- Provide financial information to assure DMA has financial capability to operate and maintain wastewater system over its useful life.		
- Provide a time line outlining period of time necessary for carrying out plan implementation.		
- Provide financial information indicating the method and measures necessary to achieve project financing. (Section 201 CWA or Section 604 may apply.)		
IMPLEMENTABILITY Describe impacts and implementability of Plan: - Describe impacts on existing wastewater (WW) facilities, e.g., Sanitary district, infrastructure/facilities and certificated areas.		
- Describe how and when existing package plants will be connected to a regional system.		
- Describe the impact on communities and businesses affected by the plan.		

REQUIREMENT	PROVIDE BRIEF SUMMARY ON HOW REQUIREMENTS ARE ADDRESSED	ADDRESSED ON PAGE:
- If a municipal wastewater (WWT) system is proposed, describe how WWT service will be provided until the municipal system is completed: i.e., will package plants and septic systems be allowed and under what circumstances. (Interim services).		
PUBLIC PARTICIPATION - Submit copy of mailing list used to notify the public of the public hearing on the 208 amendment. (40 CFR, Chapter 1, Part 25.5)		
- List location where documents are available for review at least 30 days before public hearing.		
- Submit copy of the public notice of the public hearing as well as an official affidavit of publication from the area newspaper. Clearly show the announcement appeared in the newspaper at least 45 days before the hearing.		
- Submit affidavit of publication for official newspaper publication.		
- Submit responsiveness summary for public hearing.		

APPENDIX IX

SELF-CERTIFICATION GUIDANCE FOR WASTEWATER MANAGEMENT AGENCIES

SELF-CERTIFICATION GUIDANCE FOR WASTEWATER MANAGEMENT AGENCIES

It will be necessary to include certification, for all future WQM plans, plan amendments and updates, that the designated management agency has the legal, financial, institutional and managerial authority to implement a water quality management plan, as defined in Section 208(c)(2)(A through I) of the Clean Water Act. It will be necessary for each designated wastewater management agency to request that their legal counsel provide certification that the agency has those authorities, to the Arizona Department of Environmental Quality, to ensure plan implementability.

Attached is the citation from the Clean Water Act with the information necessary to provide such self-certification. All self-certification letters should be prepared by the appropriate Designated Management Agency and sent to the Designated Planning Agency and ADEQ.

CLEAN WATER ACT -- Section 208

(c)(1) The Governor of each State, in consultation with the planning agency designated under subsection (a) of the section, at the time a plan is submitted to the Administrator, shall designate one or more waste treatment management agencies (which may be an existing or newly created local, regional or State agency or political subdivision) for each area designated under subsection (A) of this section and submit such designations to the Administrator.

(2) The Administrator shall accept any such designation, unless, within 120 days of such designation, he finds that the designated management agency (or agencies) does not have adequate authority

(A) to carry out appropriate portions of an areawide waste treatment management plan developed under subsection (b) of this section;

(B) to manage effectively waste treatment works and related facilities serving such area in conformance with any plan required by subsection (b) of this section;

(C) directly or by contract, to design and construct new works, and to operate and maintain new and existing works as required by any plan developed pursuant to subsection (b) of this section;

(D) to accept and utilize grants, or other funds from any source, for waste treatment management purposes;

(E) to raise revenues, including the assessment of waste treatment charges;

(F) to incur short and long-term indebtedness;

(G) to assure implementation of an areawide waste treatment management plan that each participating community pays its proportionate share of treatment costs;

(H) to refuse to receive any wastes from any municipality or subdivision thereof, which does not comply with any provisions of an approved plan under this section applicable to such area; and

(I) to accept for treatment industrial wastes.

APPENDIX X

INDEX OF ADEQ RULES

TITLE 18. Arizona Department of Environmental Quality

ARIZONA ADMINISTRATIVE CODE: (A.A.C. R18-X-XXX)

CHAPTER 1. Administration, Arizona Department of Environmental Quality

Article 1. Definitions
2. Practice and Procedure - Contested Cases
3. Public Participation in Rule Making
4. Public Notice and General Public Hearings

Chapter 2. Air Pollution Control

Article 1. Definitions
2. Ambient Air Quality Standards
3. Permits
4. Emissions from Existing and New Nonpoint Sources
5. Existing Stationary Point Source Performance Standards
6. Emissions from Mobile Point Sources (New and Existing)
7. Nonferrous Smelter Orders
8. New Source Performance Standards
9. Hazardous Air Pollutant Standards
10. Motor Vehicles; Inspection and Maintenance
11. Jurisdiction and Authority

Chapter 3. Air Pollution Control Hearing Board

Article 1. Rules of Procedure

Chapter 4. Drinking Water and Certification

Article 1. Classification of Treatment Plants and Certification of Operators
2. Public and Semipublic Water Supply Systems

Chapter 5. Environmental Reviews and Certification

Articles 1-3. Reserved
4. Subdivisions

Chapter 6. Pesticides and Water Pollution Control

Article 1. Numeric Values and Information Submittal
2. Pesticide Contamination Prevention
3. Groundwater Protection List

Chapter 7. Remedial Action Rules

Article 1. Water Quality Assurance Revolving Fund (WQARF)

Chapter 8. Waste Management Rules

Article 1. Reserved
2. Hazardous Wastes
3. Reserved
4. Solid Waste Management Planning
5. Refuse and Other Objectionable Wastes
6. Human Excreta

Chapter 9. Water Pollution Control

Article 1. Aquifer Protection Permits
2. Agricultural General Permits
3-6. Reserved
7. Regulations for the Reuse of Wastewater
8. Sewerage Systems

Chapter 10. Wastewater Management Authority of Arizona

Article 1. Financing of Wastewater Facilities and Nonpoint Source Discharge Programs

Chapter 11. Water Quality Boundaries and Standards

Article 1. Water Quality Standards for Navigable Waters
2. Surface Water Quality Standards
3. Water Quality Discharge Limitations and Special Classes of Water
4. Aquifer Water Quality Standards
5. Aquifer Boundary and Protected Use Classification

Chapter 12. Underground Storage Tanks

Article 1. Definitions
2. Reserved
3. Financial Responsibility
4. Underground Storage Tank Excise Tax
5. Fees
6. Underground Storage Tank Assurance Fund

APPENDIX XI

ADEQ RULES OF PUBLIC NOTICE AND GENERAL PUBLIC HEARINGS

ARTICLE 4: PUBLIC NOTICE AND GENERAL PUBLIC HEARINGS

R18-1-401. Notice

A. When notice is required by statute or rule, and notice procedures are not otherwise prescribed by statute or rule, the Department shall:
   1. Publish the notice as a legal notice at least once, in one or more newspapers of general circulation in the county or counties concerned;
   2. Included in the notice the following information;
      a. The major issue under consideration, or a description of the reason for the action;
      b. The Department's proposed action and effective date for that action;
      c. The location where relevant, nonconfidential documents may be obtained and reviewed during normal business hours.
      d. The name, address and telephone number of a person within the Department who may be contacted for further information;
      e. The location where public comments may be addressed, and the date and time by which comments shall be received.

B. In addition to meeting the requirements in Subsection (A), a notice for general public hearing shall include the following information:
   1. The time and location of the general public hearing;
   2. A statement to the effect that any person may appear at the hearing and present views, either orally or in writing;
   3. The time by which a decision shall be reached;
   4. The exact nature of the action or issues to be discussed.

C. The notice for a general public hearing described in this Section shall be published at least 30 days prior to the date of the hearing unless otherwise prescribed by statute or rule.

R18-1-402. General public hearing procedures

A. If a general public hearing is required by statute or by rule, the hearing shall be noticed as required in R18-1-401.

B. The Department shall maximize the opportunity for public participation at a general public hearing and shall consider all of the following when scheduling the general public hearing:
   1. A location in or near the geographical area of the issue addressed in the hearing, and easily accessible to a majority of the affected public;
   2. A time which can facilitate public attendance;
   3. Other hearings concerning the public, in the same geographical area, which may be scheduled for the same time and location.

C. The Department may schedule persons wishing to speak, and Department personnel knowledgeable about the issue shall be present to provide information.

D. A general public hearing shall be conducted so as to do both of the following:
   1. Inform the public of the exact nature of the action or issue, and
   2. Allow time for persons to make statements and submit written comments.

E. The person presiding at a general public hearing shall maintain order and may allot equitable time periods for oral comment by participants.

F. A general public hearing shall be recorded by means of an electronic device or stenographically.

G. The record of a general public hearing shall be maintained by the Department and made available for public inspection, during normal business hours, at the location specified in the public notice. The record of the hearing shall include the agenda, written comments submitted before the close of record, and the tape or transcript of the hearing.

Historical Note

Adopted effective July 7, 1988 (Supp. 88-3)

APPENDIX XII

SUMMARY RESPONSE TO PUBLIC COMMENTS

RESPONSE TO WRITTEN COMMENTS SUBMITTED TO ADEQ ON THE DRAFT CONTINUING PLANNING PROCESS

COMMENTOR	GENERAL COMMENTS	ADEQ RESPONSE
D,L	- Glossary should be in the front of document, or more prominently noted.	The Glossary has been referenced in the main introduction, and made into Appendix I. This should enable higher visibility and increased utilization of this information.
I,G	- Eliminate possible confusion from use of "regional, COG, areawide, substate and intrastate WQM Plans" to refer to same things. Use of "areawide" throughout was suggested to improve consistency with the Clean Water Act.	Consistency has been improved by using regional/areawide WQM plan, as appropriate.
K	- Governor's 1976 Executive Order designated each COG as a "Regional Quality Planning Agency." The same terminology should be used consistently in the CPP.	See above comment. Agree; additionally, the COGs were designated as Areawide Planning Agencies, pursuant to CWA §208, for purposes of waste treatment/ water quality management planning (see Appendix V).
L	- Document should be kept up-to-date (Use of appendices for changing materials good).	ADEQ intends to update document appendices regularly and the entire document periodically.
	- Should include RCRA and other remedial action programs throughout document.	Agree. Additions made as suggested.
I,K,M	- Local and regional government agencies must be assured a role in planning and management.	ADEQ agrees. It is the intent of the Department that the CPP document reflect the importance of local and regional participation in the WQM planning process.
D	Document as written is not "a compendium of procedures for planning and implementing water quality management programs in Arizona" since ADWR (2nd Management Plans) and county programs are not addressed. They should be, or the scope of the document should be appropriately narrowed.	Agree. Additions made as suggested.
D	Identify and describe CERCLA as an area of joint authority between ADEQ and ADWR (§49-202.B.; §49-105.A.16)	This information has been added.
F	Are the federally controlled programs the State plans to gain primacy over limited to EPA programs? Clarify language.	Yes. Language has been clarified.
F	Clarify the extent of the State's role in water quality management.	Language has been clarified.
F	Add irrigation and drainage districts to groups involved in water quality management.	These groups have been listed in the discussion in Chapter I, under WQM Process Overview.

COMMENTOR	SPECIFIC COMMENTS	ADEQ RESPONSE
D	Name, address, telephone and point-of-contact for each agency/organization should be added to Appendix II.	Agency addresses have been added to Appendix II. ADEQ believes that, although it could be helpful to include the rest of this information, its inclusion is impractical due to its dynamic nature.
G,L	Suggested additions to list of planned accomplishments:	Additions made as suggested to the list of planned accomplishments.
G	- Statewide monitoring.	
L	- Increase cooperation with state agencies (i.e., ADWR, ADHS, ASLD) to accomplish the program goals.	
L	- Encourage voluntary response by private parties to clean-up programs.	
D	Explain what "cross-program linkages" are in data management systems.	Cross-program linkages refer to the ability to link and compare data bases within ADEQ, and between the Department and other agencies.
B,C	NPDES permit program primacy should be pursued only if the program would be sensitive to the unique characteristics of Arizona's "hydrologic environment" and would have site-specific limitations that address "realistic attainable uses" of the State's water, or there would be no benefit.	Comment noted. ADEQ will work to adopt a permit program which meets both State and Federal requirements and which provides an equitable and effective means to manage discharges to navigable waters. The intent of the EQA is for Arizona to obtain NPDES primacy.
E	Suggested text change "Develop a State Revolving Loan Fund and implement a state wastewater treatment revolving loan fund.	Text has been changed to reflect the adoption of SRF, and it is described as a loan fund.
F	Specify whether water quality standards revisions apply to interstate (Colorado) as well as to intrastate waters.	Arizona's Water Quality Standards apply to all waters of the State. Rules affecting only interstate waters must be coordinated with those of neighboring states. Arizona belongs to the Colorado River Basin Salinity Control Forum, which is made up of seven basin states, and recommends salinity standards for the Colorado River.
A,G,I	Designated Planning (DPA) and Management (DMA) Agencies are designated by the Governor, not by ADEQ.	Designation may happen directly, through the Governor, or through an agreement between ADEQ and any agency, as certified by the Secretary of State.
M,I	Definition of DPA needs to include "elected officials from local governments, or their designees" in order to meet the requirements of Section 208, CWA.	Clarification made.

COMMENTOR	SPECIFIC COMMENTS	ADEQ RESPONSE
I	Include "regional" agencies in definition of DMA/DPA.	Change made as suggested.
G,K	COG's should be acknowledged as current WQM planning agencies which will retain their status as Regional Water Quality Planning Agencies at this point. Note that other DPAs may be designated, and include an explanation of the circumstances which would warrant designation of a new DPA.	Clarification made.
I	"ADEQ is the state agency which is responsible for coordination of the continuing water quality planning and management program.	This language has been clarified.
C,G	Why is self certification necessary? How will it impact the activities of existing DMAs?	Self-certification by a DMA is necessary to ensure plan implementability, pursuant to 40 CFR Part 130.
G	Conditional statements which accompany acknowledgment of existing DMAs and DPAs demonstrate little support for the agencies and should be eliminated.	ADEQ feels that it is important for all to understand the nature of the COG - local commitment. Language has been modified to clarify this point.
A	Interagency agreements made by ADEQ with other state agencies should be consistent with regional 208 plans.	Consistency reviews will be made, and acted upon as necessary.
C	Paragraph addressing Construction Grants should address SRF public participation, and be a separate section.	Changes made as suggested.
G	Misspelling - "Tohono O'odham.	Correction made.
I	Delete "nonstatutory" in discussion of WQMWG.	This language has been modified.
D	Management priorities and programs referred to are water quality management priorities and programs.	Clarifications made as suggested.
M	NACOG's 208 Plan's definition of "point source" is broader than the definition attributed to the 208 plans in the CPP (NACOG: "pollution from a discrete and identifiable facility, usually a pipe that carries wastewater from a sewage treatment plant or facility")	Clarification has been made.

COMMENTOR	SPECIFIC COMMENTS	ADEQ RESPONSE
G, I	State WQM plan as defined is inconsistent with the federal definition. It is made up of regional WQM plans, and does not include separate, statewide requirements.	The definition of the State WQM contained in the CPP has been clarified and is consistent with the WQM requirements detailed in 40 CFR 130.6.
D	ADWR management programs should be included in state plan.	Agree. Changes made.
J	The "policies" of ADEQ are referred to, but are not identified. If included, they must be identified.	References have been omitted.
G	State planning rules need to reflect the different approval processes of each areawide agency. Overall process (through EPA approval) should be standardized.	Comment noted for consideration in rule development process.
C	NPDES permit cannot be issued until it <u>is</u> consistent with the 208 plan.	Clarification made as suggested.
G	Substitute "regardless of funding source" for funding examples given.	Change made as suggested.
M	Amendment process as defined does not necessarily include local governments; their involvement depends on the internal process for adoption used by the DPA. This is inappropriate.	Clarification made.
G	Are public <u>meetings</u> required in amendment process?	Although meetings are not required, ADEQ strongly urges DPAs to solicit extensive participation by the public in all WQM planning activities. Public hearings are required.
G	Reword - "where POPTAC <u>numbers</u> <u>are</u>."	Correction made to Appendix VIII.
D	Describe why the State Clean Water Strategy will be developed and how it will be integrated into the State WQM Plan.	The Office of Water Quality Long-term Plan (formerly WQM Strategy) will represent the multi-year approach of ADEQ to meet its goals and objectives. It will be highly dynamic document, which will serve to show the public how the Department is implementing its programs, at any given time, and how it plans to implement the State WQM Plan. (In 5/92, the OWQ Long-Term Plan was put on indefinite hold.)
G	Split Chapter 4 in two; too long.	Changes made to accommodate suggestion.
G	Description of water quality standards requirements should include all of §49-221, not just Section C.	Agree. Correction made.

COMMENTOR	SPECIFIC COMMENTS	ADEQ RESPONSE
B	§49-222.B. and C. should be included in WQS development criteria.	Addition made as suggested.
J	Aquifers are protected for <u>all</u> present and reasonably foreseeable future uses under §49-221.A., not just for drinking water use. The discussion of aquifer water quality standards does not reflect this.	The language has been clarified. Aquifers are initially protected for drinking water use under §49-224.B.
D	Do "federally-promulgated numeric standards" refer to MCLs alone, or do they include other standards? Clarify.	Federal standards exist for nagivable waters. These standards list various criteria, but do not contain SDWA MCLs.
J	Antidegradation policy deals with surface waters only, not <u>all</u> waters.	Agree. Clarification made.
C	What is "ONRW"?; include in glossary also.	ONRW = Outstanding National Resource Water. Acronym has been added to the glossary (40 CFR 131.12)
D	Reference the location of the list of the toxic pollutants.	Text has been modified, as appropriate.
D	Ambient water quality monitoring should be identified as an area for coordination among ADEQ, ADWR and the Commission of Agriculture & Horticulture (§49-225A).	Text has been modified, as appropriate.
B	Use attainability - Since the State is responsible for designating uses and adopting water quality criteria (CWA & implementing regulations), and since the EQA establishes ADEQ as the focus for State water quality management programs, the State should be responsible for allocating the necessary resources to ADEQ for use attainability analyses. The CPP should note this and not predicate action on availability of resources.	This text has been clarified to reference the State Water Quality Standards for Navigable Waters for UAA requirements.
B	Appropriate standards revisions should be proposed immediately after a use attainability analysis shows they are needed, not in the next triennial review. Recent CWA amendments necessitate immediate action.	See the State Water Quality Standards for Navigable Waters for specify program requirements.

COMMENTOR	SPECIFIC COMMENTS	ADEQ RESPONSE
D	Coordinate assessment of WQLS (Water Quality Limited Segments) and determine TMDL/WLA/LA with ADWR to avoid problems regarding designated uses and other management issues.	Water resource management projects are reviewed by ADEQ to determine their impact upon existing WQM permits, programs and standards. ADWR will be involved in the development and implementation of the ADEQ's WQM programs, including priority water body criteria setting.
B	Misleading to say that NPDES compliance schedules are "negotiated" - They are subject to limiting timing constraints of administrative orders or permit renewals. "Negotiation" could be better described as an "enforcement or compliance action."	ADEQ has omitted this language in the final document.
B	What would constitute a "report" of toxic-caused use impairment? Clarify.	This language has been omitted.
B,J	Further description of "receiving water impact evaluation" is necessary. How does it relate to site specific analyses referenced in State rules? Who is responsible for doing evaluation, and when is it to be done?	This language has been omitted.
B	How does toxicity testing compare to EPA's biomonitoring or State's current bioassay (R18-11-205)?	This language has been omitted.
B	What constitutes a "standards violation" as this term is used within the context of the toxics effect assessment?	This language has been omitted.
B	Will permittees have an opportunity to review ADEQ's lists of dischargers "With potential water quality standards violations requiring further analysis"?	Yes.
B	If EPA's biomonitoring requirements are used, then a list of test species can't be developed with input from the discharger, because EPA's guidance specifies the test species to be used.	This discussion has been omitted from the CPP as monitoring requirements are contained in the State's Water Quality Standards for Navigable Waters.
C	Biomonitoring as a tool for controlling toxics substances is ineffective at this time, and thus biomonitoring mortality rates should not be used as an enforceable limitation of a permit.	See above comment.
B.	State should perform site specific studies before biomonitoring protocols are specified in permits.	See above comment.

COMMENTOR	SPECIFIC COMMENTS	ADEQ RESPONSE
B	EPA's biomonitoring requirements are inappropriate where the receiving waters are effluent dominated. State standards should include the specific limits and conditions under which mortality limits would be adopted in any permit.	See above comment.
B	Whole-effluent biomonitoring permit conditions for large dischargers or dischargers with insufficient data to show compliance are inconsistent with the "2-tiered approach."	See above comment.
B	CPP should not identify the conditions under which bioassay requirements will be implemented without clarifying the requirements' application to EDWs and modifying the appropriate standards.	ADEQ agrees. This language has been eliminated from the text because it is inappropriate.
G	In cases where facilities are not financed under Construction Grants programs, but through bonds or privately, does the State still have authority to approve facility design? How is facility design approved outside 201?	Yes. Such approvals are conducted by ADEQ as authorized by A.R.S. §49-353.A.2(b) and 361(1). Rules for approvals are found under A.A.C. R18-9-804.A. and R18-4-234.
D Biblio.	Place the ADWR/WRA document (106) used in part for Appendix II, and all statutes, in Bibliography.	This reference was not the major source of this information, and therefore is not included.
G App.III	More logical flow of information would be to deal first with Federal programs, then State, Indian, regional, and conclude with local programs.	Basic agreement. Text has been modified.
J App.III	Salt River Project should be included as an agency conducting WQM programs which could be integrated in the State's planning process.	A description of the Salt River Project has been added to Appendix III.
D App.III	Under ACC, discuss the Power Plant and Transmission Line Siting Commission (places environmental conditions on large power plants, ADEQ now a member).	The authority of the PP and TLS Committee has been addressed in Appendix III, under the Arizona Corporation Commission.
D App.III	In the section addressing approvals which the ACC may require a public service corporation to obtain from other departments, the discussion for ADWR should be expanded, and citations should be added.	Text has been amended to expand discussion and included citations.
D App.III	Discuss ADWR's authorities to consider water quality in new well location and recharge projects permittings.	Text has been expanded as suggested.
D App.III	ADWR is charged with working with data, and developing programs and rules for surface, as well as for groundwater.	Text has been expanded to reflect ADWR's role in all water quality, not just groundwater quality.

COMMENTOR		SPECIFIC COMMENTS	ADEQ RESPONSE
F	App.III	Consider adding the Army Corps of Engineers to the list of federal agencies for its role in the permitting process for discharges to surface waters.	Text has been included as suggested.
G	App.III	Expand information on EPA's role.	Text is concise, but inclusive.
F	App.III	Expand information of role of the Bureau of Reclamation.	This text has been amended as suggested.
D	App.III	Expand information on USGS' role.	Text has been expanded as suggested.
C	App V	Add the Marana 208 Consistency Report (1988) to the list of PAG's 208 documents.	Addition made as suggested.
L	App.VII	Appendix of ADEQ rules is incomplete. Chapters 20, 7, 8, and 11 should be included.	This page, which was inadvertently omitted in the draft publication, is now included in APP VII of this document.

INDEX OF COMMENTORS

NAME	ORGANIZATION	DATE OF CORRESPONDENCE
A. Lindy Bauer	MAG	August 15, 1988
B. Val Danos	AMWUA	July 28, 1988
C. David Esposito	Pima Co. Wastewater	August 12, 1988
D. Sherry Evans-Carmichael	ADWR	August 5, 1988
E. Sue Lofgren (call in)		
F. Ed Hallenbeck	Bureau of Reclamation	August 15, 1988
G. Gail Kushner	PAG	July 28, 1988
I. John Maynard	SEAGO	July 26, 1988
J. Al Qoyawayma	SRP	August 11, 1988
K. Bill Riley	WACOG	July 29, 1988
L. James Sears	Honeywell	July 26, 1988
M. Ken Sweet	NACOG	July 20, 1988